

RYAN SINHA

Advocate

Off: DN-24, Matrix Towers, Sector V, Salt Lake, Kolkata – 700091,
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LEGAL NOTICE

(Through Registered A.D/Speed Post/Courier)

Date: 16.02.2021

To,

Mr. Vishal Gondal

C/o GOQii Technologies Pvt.,

Having its registered office at:

101 Satyam Towers,

Sanghavi Corporate Park,

Off BKSD Marg, Govandi,

Deonar, Mumbai - 400088

**RE: LEGAL NOTICE FOR DEFAMATORY & SLANDEROUS
STATEMENTS ON SOCIAL MEDIA WITH THE INTENT
TO MALIGN REPUTATION**

Sir,

I write to you under the instruction from and on behalf of my client, Mr. Siraj Khan, S/o (Lt.) Sohrab Khan, ordinarily residing at Flat no. 601, F-Block, The Address Society, Veena Nagar, Indore, Madhya Pradesh. I bring to your pertinent attention the malafide and patently malicious statements made by you on social media and serve upon you the following legal notice for defamation and maligning the reputation of my Client, as under.

1. That my Client is an honest taxpaying and law abiding citizen with no history of illicit, criminal behaviour or other addictive patently illegal activities.
2. That my Client is a respectable person and has clean reputation and a sterling character record apart from a clean credit history, and is at present self-employed and looking to create a start-up.

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3. That my client usually plays online card based games on his mobile as a means of self-entertainment and to relieve the stress of his daily workload. Such recreational activities do not amount to gambling of money of any kind which my client recognises as unlawful.
4. That You, on 14.01.2021, posted a tweet via your Twitter handle in which you have falsely stated app-based card games such as “Rummy Culture” as tantamount to gambling and apparent cause of increased criminal conduct in people who play such games. You further attributed these to an increased rate of criminal activities in a series of tweets from 16.01.2021 to 28.01.2021, whereby you have singled out Rummy Culture and other similar apps.
5. That your tweets on 01.02.2021 have compared recreational playing to gambling and addiction which has resulted in my client being deemed in the same light of criminally tainted behavior.
6. That the contents of your tweets have often inferred a latent meaning of financial loss due to addiction and therefore my client is cast in the same light. Your tweets have arbitrarily and with malafide intent cast aspersions on my client’s social reputation and dubbed him as a “gambling addict” who may indulge in criminal activities or suffer from financial loss from the same.
7. Through your malafide posts and online you have caused irreparable damage and harm to my Client, which has resulted in the loss of reputation of my clients in the eyes of right minded people. The maligning of reputation can very well be seen from the series of retweets and the apparent traction received by you on your tweet dated 01.02.2021. Not only this, but you have managed to escalate this grievous damage by unduly rallying political support to your connivance.
8. Your post without a doubt is a wrongful attempt to create and propagate a connection the between nature of my Client and the illegal, unlawful and unethical act of gambling as an addiction and a window to further criminal activities by subverting a simple fact that it is a recreation based gameplay alluring merely skill and strategy.
9. It is crystal clear now that the you had a well thought strategy to ensure traction to your own game-apps at the cost of my client’s

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reputation merely on the fact that he uses some other app for recreational use. The said act has been actuated on your part so as to calculatedly cause irretrievable harm and damage to the reputation, name, fame and standing of my Client and her family which has been painstakingly built by my Client over such a long period of time.

10. That due to your Twitter post, my Client has lost all contact within peer groups and neighbours on account of the well known usage of such apps and which has also tarnished his hopes of seeking a seed funding or capital investment for his business venture as no well-meaning investor is ready to look past his personal habits and seek to create a professional relationship due to which my client has suffered loss of reputation and prospective finances too.

11. Further, your Twitter Post is a direct attack on my Client who is a respectable citizen. By attacking my Client using fabricated and malicious content, You are damaging his untarnished image and also hurting the sentiments of millions of other similar people.

12. In view of the facts and circumstances stated above, I call upon to cease and desist all defamatory content stated in para 4-10 above. Accordingly, I demand that you (A) immediately cease and desist your unlawful defamation of my Client; (B) provide me with prompt written assurance within 24 hours of this notice that you will cease and desist from further defamation of my Client; (C) You shall issue an unconditional apology on your Twitter wall and any other medium on which You have posted such defamatory content, and condone the false, wrongful, malicious and misleading information posted by You; (D) You shall pay compensation to the tune of Rs. 10,00,000/- (Rupees Ten Lakhs) to my Client for defaming him and causing reputation to mind and property of my Client and for the agony and the loss of reputation caused by You; the agony and loss cannot be measured in terms of money but as punitive damages warrants imposition for deterrence to You. The same shall be communicated to the undersigned along with written assurance.

13. In the event you fail to comply with the cease and desist notice within the above stipulated time, I on behalf of my Client, will initiate legal proceedings including but not limited to pursuing a criminal defamation against you under Section 499/500 of the Indian Penal Code, 1860 punishable with imprisonment extendable upto 2 years.

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Further, you will be held for the legal and monetary damages sought by my Client. Please stand informed, that your liability and exposure under such legal action would be considerable. Additionally, punitive action sought by my client is notwithstanding and/or without prejudice to his right to seek compensation. For the same, my client shall forthwith register a request with the local police to register a case against the addressee under the appropriate provisions of the IPC and the IT Act including but not limited to complete punitive cessation of the tweets and/or for his criminal/illegal conduct.

14. I am instructed to further inform You, that the action initiated by my Client in this regard would be without prejudice to any other cause of action which may have accrued, or may in future accrue, to my Client against You.

15. I am further instructed to call upon You, that You are also liable to bear the cost of this notice, which is in the sum of INR 51,000.00 (Rupees Fifty One Thousand Only).

16. It is my sincere hope that better sense would prevail with You, the above named addressee, and the matter would be resolved amicably without any unpleasantness.

Yours Sincerely,

Ryan Sinha
(Advocate)