

IN THE HON'BLE HIGH COURT OF BOMBAY

[Case No.: S/42/2025]

IN THE MATTER OF:

Piramal Capital and Housing Finance Limited (PCHFL) and Ajay Piramal (through DSK Legal)

Complainant/Petitioner/Plaintiff

VERSUS

Debaprasad Sadhan Bandopadhyay (sic)

Defendant No. 6

Response/Reply/Statement from Defendant No. 6 (In the Manner of Appearing *Pro Se*)

I, Debaprasad Bandyopadhyay, aged 59, a citizen of India, presently residing at Anekanta, 23/1, Jay Narayan Banerjee Lane, Baranagar, Kolkata-700036, West Bengal, do hereby solemnly affirm and state as follows:

1. Preliminary Objection: Identity Distortion and Procedural Anomalies

1.1. I was served a document dated 24.04.2025 via registered post received on 28 June 2025 at approximately 4:30 PM IST by my spouse.

1.2. The said document bore an incorrect, misspelled and patriarchally distorted version of my name as well as age, raising doubts about whether I am the intended legal recipient or being wrongfully targeted.

1.3. Further, the origin of the document—from the office of the Mayor of Mumbai—seems to be irregular and calls for clarification under procedural norms.

2. Use of Defunct Corporate Identity “PCHFL” Post-Renaming

2.1. In what can only be described as a moment of legal irony—it has come to light that the plaintiff continues to be referred to as “Piramal Capital & Housing Finance Ltd (PCHFL)” in court documents dated after the official change of name to “Piramal Finance Ltd” on 22 March 2025.

2.2. The suit is said to have been admitted on 17 March 2025 (under the name PCHFL), but shockingly, a critical court document—signed “for the Prothonotary and Senior Master”—is dated 24 April 2025, still bearing the outdated corporate name “PCHFL.”

2.3. Context and Chronology of Events:

- Plaints Lodged (Suit No. 42/2025): 12 January 2023
- Plaints Admitted (as claimed by Plaintiff): 17 March 2025
- Name Change from PCHFL to Piramal Finance: 22 March 2025
- Document signed “For Prothonotary and Senior Master”: 24 April 2025

2.4. Legal Grounds for Objection:

- Post-22 March 2025, the entity formerly known as PCHFL no longer legally exists under that name, having been renamed to Piramal Finance Ltd, a matter of public record.
- The plaint dated 24 April 2025—signed and accepted on behalf of the Hon’ble Prothonotary and Senior Master—continues to refer to the plaintiff as “PCHFL,” which constitutes a legal and procedural inconsistency.
- The use of a defunct name in official court documents after the name change is in direct violation of:
 - The Companies Act, 2013 (Section 13 read with Rule 29 of Companies (Incorporation) Rules, 2014), which mandates accurate representation of a company’s registered name.
 - Basic tenets of procedural propriety under Order VI of the Code of Civil Procedure, 1908 (CPC) (especially Rules 14 and 17), which require accurate particulars of parties in pleadings.
 - Principles of natural justice requiring full and accurate disclosure of party identity.
- Failure to amend the plaint or notify the court of the name change may amount to misrepresentation and can potentially mislead the court and prejudice the defence.

3. Absence of Specific Charges and Legal Clarity

3.1. I am unable to ascertain the exact nature of the accusations—whether of defamation, contempt of court, or cybercrime.

3.2. No detailed charge, evidence, or statement of cause has been furnished.

3.3. I assert my right to full disclosure and the principle of natural justice (*audi alteram partem*), which mandates that I must know the charges before I can defend myself.

4. Material Discrepancies in the Legal Document

4.1. The document served via the Mayor of Mumbai contains multiple deficiencies, reflecting a lack of legal rigor and professional accountability by DSK Legal, including:

- **Over-writings and Use of White Ink:** Notably on Vol. 2, pg. 1, undermining document integrity.
- **Opacities, Redundancies, Repetitions, and Almost Blank Pages:**
 - Vol. 1: Almost blank pages (pp. 5-7); contradictory remarks and unnecessary scepticism about my identity linked to my legally verified X account (Point 8, pg. 24).
 - Vol. 2: Numerous pages with opacities (e.g., 4504, 4522-23, etc.), redundancies (e.g., 4501-02, 4508-09, etc.), repetitions (e.g., 4512, 4516, etc.), and almost blank pages (e.g., 4583, 4586, etc.).
- **Cancelled Pages and Strikethroughs:** Vol. 1, pp. 13-16, 20, 67-69, 72, 76, 78, including notarized documents from a cancelled defamation case shared by DSK Legal.
- **Incomplete Evidence:** Omission of all relevant tweets from my X account, raising questions about the complainant’s intent and evidence selection.

[View the Attached Hyperlink within the mail body redirecting to my website, containing the comprehensive details for the above claims]

4.2. These flaws violate procedural standards under Order VI, Rule 2 of the CPC, which requires clear and concise pleadings, and prejudice my ability to respond effectively.

5. Temporal Discrimination and Alleged Denial of Fair Opportunity

5.1. The document grants me nearabout five days to respond till the next hearing date on the 3rd of July, 2025, whereas the complainant, Ajay Piramal, and his legal team DSK Legal appear to enjoy 90-day procedural leeways under similar frameworks.

5.2. I am a financially devastated fixed deposit holder of DHFL, unable to afford legal assistance within such an extremely short period of time.

5.3. This gross asymmetry of time and access amounts to a possible denial of fair process and allegedly constitutes institutional intimidation.

6. Statement of Innocence and Good Faith

6.1. I categorically state that I have not engaged in any act of defamation, contempt, or cyber offence.

6.2. My public statements and writings on social media were made in good faith, supported by publicly available, fact-checked material, and expressed with disclaimers, cautious qualifiers, and democratic intent to express dissent in order to keep the pressure cooker of democracy alive with regard to the fundamental right to freedom of speech and expression.

7. Invocation of Constitutional Protections

7.1. Therefore, my communications are protected under Article 19(1)(a) of the Constitution of India—Right to Freedom of Speech and Expression.

7.2. The alleged charges (if any) do not pass the test of reasonable restrictions under Article 19(2).

7.3. I have not used language inciting violence, hatred, or disinformation, nor have I attacked any person's private life outside their public conduct as a business magnate or political donor.

8. Non-Applicability of Section 66A of IT Act, 2000

8.1. If the notice or complaint relies on Section 66A, I assert that it has been struck down as unconstitutional by the Supreme Court in *Shreya Singhal v. Union of India*, AIR 2015 SC 1523.

8.2. Continued use of this repealed provision is void ab initio and may constitute contempt of court as reiterated in *PUCL v. Union of India*, (2019) 3 SCC 745.

9. Non-Applicability of Section 69A and Related Cyber Offense Provisions

9.1. Section 69A of the IT Act, 2000, which allows website blocking for threats to “public order,” is inapplicable as my communications do not undermine India's sovereignty, integrity, or unity, but advocate for the rights of the nation and global humanity against allegedly unjust economic exploitation by the crony corporate establishment of contemporary

Indian political economy.

9.2. Related IPC provisions often misused with cyber offenses are also inapplicable:

- Section 124A (Sedition): Inoperative post-2022 Supreme Court freeze and irrelevant to my non-seditious dissent.
- Section 153/153A (Promoting enmity): Inapplicable as my critiques do not promote enmity but address financial misconduct using qualified language.
- Section 505 (Public mischief): Irrelevant as my fact-based statements do not spread rumours or incite unrest.

8.3. My actions—using publicly available data, transparent, non-violent by all means, and employing cautious qualifiers (e.g., “alleged,” “apparently,” “reportedly,” “appears to be” etc.)—do not constitute hacking, phishing, impersonation, cyberstalking, or data misuse, and are protected under Article 19(1)(a).

10. Allegation of Legal Harassment and Mental Harassment

10.1. The present legal notice arranged apparently by DSK Legal, devoid of clarity and sent without legal basis, amounts to harassment, coercion, and misuse of the legal process.

10.2. As a financially abused victim of the DHFL resolution process, I have already faced economic ruin by losing my hard-earned life savings.

10.3. The pressure of repeated legal threats, especially by a corporate entity represented by elite legal firms, appears to be mentally torturous and purportedly violates Section 503 of the Indian Penal Code, 1860, and international human rights standards (see Appendix-I).

11. Alleged Evidence of Systemic Injustice and Corporate Privilege

11.1. I attach a brief chronology that outlines the alleged judicial bypasses and procedural privileges reportedly enjoyed by Mr. Ajay Piramal, including:

- NCLT’s allegedly ignored order (19 May 2021)
- NCLAT’s expedited stay (25 May 2021)
- “Final” (?) SC stay in Mr. Piramal’s favour (11 April 2022)

11.2. This reflects selective access to justice and supports my rhetorical critique: "All crony corporates are equal, but some are more equal than others."

12. Identity and Disbelief

12.1. I, an ordinary Indian citizen—and more broadly, an earthian—residing on this shared planet, fail to comprehend the legal basis or motive behind the purported case involving “me” and other financially abused victims of the DHFL scam. The mention of social media platforms like Facebook, X (formerly Twitter), and LinkedIn only deepens the confusion.

13. Critique of Criminal Defamation and Legal Intimidation

13.1. The present case underscores the urgent need for decriminalization of defamation in India, governed by Sections 499 and 500 of the IPC, which are rooted in outdated colonial laws and often misused to silence dissent, particularly by powerful entities, clashing with Article 19(1)(a) of the Constitution.

13.2. Criminal defamation, carrying up to two years' imprisonment *without requiring proof of mens rea (intent)*, is disproportionate and inconsistent with international norms (e.g., European Court of Human Rights, UN Human Rights Committee), which advocate civil remedies except in extreme cases like hate speech. The latter does not apply in my case, given that I have only made available publicly accessible information, allegations and reported instances.

13.3. Efforts to decriminalize defamation (e.g., 2014 Law Commission consultation, 2023 bill by MP Raghav Chadha) highlight the need to align India with global standards, prioritizing civil remedies to balance reputation and free expression.

13.4. Legal intimidation of economically vulnerable groups, such as myself—a financially devastated DHFL fixed deposit holder—contravenes India's obligations under the Directive Principles of State Policy (Part IV, Constitution of India) and international human rights law promoting socio-economic equity.

14. Request for Relief and Prayers

In light of the above, I respectfully pray for the following reliefs:

- a) That this Hon'ble Court dismiss the complaint/notice as vague, unfounded, and violative of fundamental rights;
- b) That no coercive action be initiated against me until proper particulars and evidence are supplied and I am granted sufficient time and legal aid;
- c) That this Hon'ble Court recognize the present action as a Strategic Lawsuit Against Public Participation (SLAPP), aimed at suppressing democratic dissent via crony corporate actions;
- d) That appropriate directions be issued to the complainant to cease all forms of legal intimidation unless grounded in valid, constitutional, and procedurally sound basis.

15. Verification

I hereby declare that the contents of this reply are true and correct to my knowledge, belief, and understanding, and nothing material has been concealed therefrom.

Solemnly affirmed at Kolkata

On this 2nd day of July 2025



Dr. Debaprasad Bandyopadhyay

See Also:

- [Justice via Intimidation? A Financially Abused Citizen vs. the Corporate-State Nexus VIEW HERE ↗](#)