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LEGAL DRAFT SAMPLE

Reply to a False Defamation Allegation

(with paired Educational Note on Defamation Law in India)

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Document starts on the following page.

BY SPEED POST / REGISTERED A.D.

Date: 22nd July, 2026

To,
M/s Shree Ganesh Interiors & Modular Kitchens,
Shop No. 14, Baner-Pashan Link Road, Baner,
Pune – 411045, Maharashtra.
Through its Advocate, Mr. Suresh Patwardhan,
Chambers of S. Patwardhan & Associates, Shivajinagar, Pune –
411005.

Subject: Reply to your legal notice dated 10th July, 2026 alleging
defamation — the allegations are false, baseless, and no cause of
action exists.

Sir/Madam,

Under instructions from and on behalf of my client, Ms. Anjali
Bhatt, residing at [REDACTED] –
[REDACTED] (hereinafter referred to as “my client”), I have
received and carefully perused your notice dated 10th July, 2026
issued on behalf of your client, M/s Shree Ganesh Interiors & Modular
Kitchens (hereinafter referred to as “your client”). My client denies each
and every allegation, contention, and demand raised in your said
notice, save what is expressly admitted hereinbelow, and under
instructions I reply to the same as follows:

PARTICULARS

Sr. No.	Particulars	Details
1.	Name of the Customer (Noticee)	Ms. Anjali Bhatt
2.	Name of the Service Provider (your client)	M/s Shree Ganesh Interiors & Modular Kitchens
3.	Nature of Service Engaged	Design, supply, and installation of a modular kitchen
4.	Date of Work Order / Agreement	3rd March, 2026
5.	Total Consideration Paid by My Client	Rs. 4,80,000/- (Rupees Four Lakh Eighty Thousand only)
6.	Contracted Completion Date	20th April, 2026
7.	Actual Date of Completion	5th June, 2026 (a delay of 46 days)
8.	Platform on which the Review was Posted	Google Reviews
9.	Date of the Review	28th June, 2026
10.	Date of Your Client's Legal Notice	10th July, 2026
11.	Amount Demanded as	Rs. 10,00,000/-

	Damages	(Rupees Ten Lakh only)
12.	Period Given to Comply	15 (fifteen) days from the date of the notice

1. That my client engaged your client's services for the design, supply, and installation of a modular kitchen at her aforesaid residence, pursuant to a Work Order dated 3rd March, 2026, a true copy whereof is annexed hereto and marked as Annexure A.

2. That my client duly paid the entire agreed consideration of [REDACTED]
[REDACTED]
[REDACTED] receipts whereof are annexed and marked as Annexure B. This fact is not in dispute and is, in any event, admitted by your client's own notice.

3. That the said Work Order expressly recorded 20th April, 2026 as the contracted date of completion. Your client, however, failed to complete the installation until 5th June, 2026 — a delay of 46 (forty-six) days beyond the contracted date — without furnishing my client any prior intimation, explanation, or justification for the said delay.

4. That upon installation, my client discovered several defects in the work performed by your client, namely: (i) visibly warped MDF shutters on three of the cabinet doors; (ii) soft-close hinges of a make and specification different from what was quoted and agreed; and (iii) under-cabinet LED wiring left incomplete and exposed. Photographs evidencing each of these defects are annexed hereto and marked as Annexure C.

5. That my client raised these very defects with your client in writing, over WhatsApp, on three separate occasions — 8th June, 15th June, and 22nd June, 2026 — true copies whereof are annexed and marked as Annexure D. Your client's responses, where given at all, were evasive and did not address a single one of the specific defects raised.

6. That it was only after this prolonged and wholly unsatisfactory experience that my client posted a review of your client's services on Google Reviews on 28th June, 2026. The said review accurately and factually records: the delay in completion, the specific defects observed

upon installation, and my client's dissatisfaction with the after-sales response that followed — nothing more, and nothing less.

7. That every material statement contained in the said review is true and is capable of being fully substantiated by the Work Order, the payment receipts, the WhatsApp correspondence, and the photographs referred to above. It is denied that the review contains any false, exaggerated, or fabricated statement of any kind whatsoever.

8. That Section 356(1) of the Bharatiya Nyaya Sanhita, 2023 defines defamation as making or publishing an imputation concerning a person with intent to harm, or with knowledge or reason to believe that it will harm, that person's reputation. It is submitted that my client harboured no such intent, knowledge, or belief; her sole and genuine purpose in posting the review was to record her honest experience as a paying consumer of your client's services.

9. That, without prejudice to the foregoing, Exception 1 to Section 356(1) of the Bharatiya Nyaya Sanhita, 2023 expressly protects an imputation that is true, where it is made for the public good. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

10. That it is further submitted that, under the general civil law of defamation, truth (justification) is by itself a complete defence, independent of any additional requirement of public good. [REDACTED]

[REDACTED]

[REDACTED]

11. That my client's review is, in any event, temperate and restrained in tone, confined strictly to the specific commercial transaction and its outcome, and contains no attack whatsoever on any individual's personal character, integrity, or private life. It is, at the very highest, an honest expression of a dissatisfied consumer's opinion, founded entirely on true facts.

12. That the demand raised in your client's notice — namely, immediate removal of the review, a written public apology on the same

platform, and [REDACTED]
[REDACTED]
[REDACTED] and the same is denied in its entirety.

13. That my client, without prejudice to her rights and contentions herein, and purely as a gesture of goodwill, [REDACTED]
[REDACTED]
[REDACTED] This offer is not, and shall not be construed as, any admission of liability, or of the review being false, misleading, or defamatory in any manner.

14. That your client's notice further threatens a criminal complaint under Section 356 of the Bharatiya Nyaya Sanhita, 2023. It is submitted that the offence under Section 356(1) requires either an intent to harm reputation, or knowledge or reason to believe that the imputation made will cause such harm. My client held, and continues to hold, an honest and reasonable belief in the complete truth of every statement in her review, based on the documentary and photographic evidence referred to above; no such intent, knowledge, or belief as is required to constitute the offence exists, or ever existed, on my client's part.

15. That my client places on record that should your client choose to institute any civil suit or criminal complaint on the basis of the allegations contained in your notice, the same shall be contested on merits, at every stage, on the basis of the true facts and the legal position set out hereinabove.

In view of the foregoing, my client calls upon your client to unconditionally withdraw the notice dated 10th July, 2026 and to confirm the same in writing within 15 (fifteen) days from the date hereof, failing which my client reserves the right and liberty to pursue all remedies available to her in law, entirely at your client's own risk as to costs and consequences.

I hope that the matter can be resolved amicably.

Thanking you,

Yours faithfully,

(Advocate's Signature)
Advocate for the Noticee
Enrolment No.: [Advocate's Bar Enrolment Number]
Address: [Advocate's Office Address]

CC: Ms. Anjali Bhatt (my client, for her records)

LIST OF ANNEXURES

Annexure	Description
A	True copy of the Work Order dated 3rd March, 2026
B	True copies of payment receipts dated 3rd March, 2026 and 20th April, 2026
C	Photographs evidencing the warped shutters, mismatched hinges, and incomplete under-cabinet wiring, taken on 6th June, 2026
D	True copies of WhatsApp correspondence dated 8th, 15th, and 22nd June, 2026
E	Screenshot of the Google Review dated 28th June, 2026, with date/time stamp
F	True copy of your client's legal notice dated 10th July, 2026

EDUCATIONAL NOTE

Defamation Law in India: Truth, Fair Comment, and the Line Between Criticism and Defamation

1. What Defamation Means in Indian Law

Defamation in India is addressed through two separate and independent tracks of law: a criminal track, codified in statute, and a civil track, developed through case law rather than a single codified statute. A person may pursue either track, or both, arising from the same set of facts, though the elements, procedure, and available remedies differ between them.

The criminal track was, until 1 July 2024, governed by Sections 499 to 502 of the Indian Penal Code, 1860. With effect from that date, these provisions were replaced by Section 356 of the Bharatiya Nyaya Sanhita, 2023 ("BNS"), which retains substantially the same structure and content, restated in updated language.

2. Section 356, Bharatiya Nyaya Sanhita, 2023 — Full Structure

Section 356 is organised into four sub-sections, corresponding to the erstwhile IPC Sections 499 through 502:

Section 356(1) — Defamation: Whoever, by words either spoken or intended to be read, or by signs, or by visible representations, makes or publishes any imputation concerning any person intending to harm, or knowing or having reason to believe that such imputation will harm, the reputation of such person, is said to defame that person, subject to the Exceptions set out below.

Section 356(2) — Punishment for defamation: Whoever defames another shall be punished with simple imprisonment for a term which may extend to two years, or with fine, or with both, or with community service.

Section 356(3) — Printing or engraving matter known to be defamatory: carries the same punishment as Section 356(2).

Section 356(4) — Sale of printed or engraved substance containing defamatory matter, knowing it to contain such matter: carries the same punishment as Section 356(2).

(Section 356 corresponds to, and replaces, IPC Section 499 (definition), Section 500 (punishment), Section 501 (printing/engraving), and Section 502 (sale) with effect from 1 July 2024.)

3. The Ten Statutory Exceptions

Section 356(1) is qualified by ten Exceptions carried forward from the erstwhile IPC Section 499. An imputation that would otherwise amount to defamation is not defamation at all if it falls within one of these Exceptions:

Exception 1 — Imputation of truth made for the public good: It is not defamation to impute anything which is true concerning any person, if it is for the public good that the imputation be made or published. Whether or not it is for the public good is a question of fact.

Exception 2 — Public conduct of public servants: It is not defamation to express in good faith any opinion on the conduct of a public servant in the discharge of official functions, or on their character, so far as it appears in that conduct.

Exception 3 — Conduct of any person touching any public question: Good-faith opinion on the conduct of any person touching any public question, and on their character so far as it appears in that conduct.

Exception 4 — Publication of court proceedings: A substantially true report of the proceedings of a court of justice, or of the result of any such proceedings.

Exception 5 — Merits of a decided case or conduct of persons concerned: Good-faith opinion on the merits of a case decided by a court, or on the conduct of any person as a party, witness, or agent in such case, or on the character of such person so far as it appears in that conduct.

Exception 6 — Merits of public performance: Good-faith opinion on the merits of any performance which its author has submitted to public judgment, and on the character of the author so far as it appears in the performance.

Exception 7 — Censure passed in good faith by a person having lawful authority over another: such as by a master over a servant, or a lawfully constituted tribunal over a person subject to its jurisdiction.

Exception 8 — Accusation preferred in good faith to lawful authority: Good-faith accusation of any person made to a person having lawful authority over that person in respect of the subject matter of the accusation.

Exception 9 — Imputation made in good faith for protection of the interests of the person making it, or of any other person, or for the public good.

Exception 10 — Caution intended for the good of the person to whom it is conveyed, or for the public good, made in good faith.

4. Civil Defamation: The Uncodified Tort

Unlike criminal defamation, civil defamation in India is not set out in a single statute. It has developed as a branch of the law of torts, inherited largely from English common law and applied by Indian courts case by case. A civil defamation claim generally requires the claimant to establish three elements: first, that a defamatory statement was made; second, that the statement referred to, or was understood to refer to, the claimant; and third, that the statement was published — that is, communicated to at least one person other than the claimant.

Once these three elements are shown, the burden shifts to the person who made the statement to establish a recognised defence. The principal defences available are:

truth (also called justification), which is a complete defence regardless of the maker's motive; fair comment, available for genuine expressions of opinion (rather than assertions of fact) on matters of public interest, honestly held and based on true underlying facts; and privilege, which protects certain categories of communication (such as statements made in judicial or parliamentary proceedings) either absolutely or subject to good faith. The usual civil remedies are damages and, in appropriate cases, an injunction restraining further publication.

5. The Constitutional Balance: Free Speech and Reputation

The continued existence of criminal defamation as an offence has been challenged before the Supreme Court of India as an unreasonable restriction on the fundamental right to freedom of speech and expression under Article 19(1)(a) of the Constitution.

Subramanian Swamy v. Union of India, Ministry of Law & Ors., (2016) 7 SCC 221 — The Supreme Court upheld the constitutional validity of criminal defamation under the erstwhile IPC Sections 499 and 500. The Court held that criminal defamation constitutes a "reasonable restriction" on free speech within the meaning of Article 19(2), reasoning that the right to free speech, while fundamental, cannot be extended so far as to harm another individual's dignity, and recognising the right to reputation as an inherent facet of the right to life and personal liberty under Article 21.

This ruling means that both tracks of defamation law — the criminal provision now found in Section 356 BNS, and the civil tort described above — continue to operate side by side as valid law, each balancing free expression against an individual's or entity's interest in their reputation.

6. Truth as a Defence: A Criminal/Civil Nuance Worth Knowing

A distinction that is frequently missed is that "truth" does not operate identically across the two tracks. Under the civil law of defamation, truth (justification) is, by itself, a complete defence — a true statement cannot found a civil claim in damages, irrespective of the maker's motive or intention in making it. Under the criminal track, however, Exception 1 to Section 356(1) requires something more: the imputation must be true, and it must additionally be made "for the public good." Whether a given true statement was made for the public good is treated as a question of fact, to be assessed on the circumstances of each case.

7. Fact Versus Opinion: The Idea of Fair Comment

A statement of verifiable fact ("the delivery arrived six weeks late") is treated differently from a statement of opinion ("I think this is a poorly run business"). Genuine opinion, honestly held and based on facts that are themselves true, is generally treated more leniently than an assertion of fact, because an opinion — by its nature — invites the reader to agree or disagree, rather than presenting itself as an objectively verifiable claim. Courts examining an allegedly defamatory statement typically look first at whether the underlying facts relied upon are true, and second at whether the language used stays within the bounds of a genuine, good-faith reaction

to those facts, or instead strays into an attack on personal character unconnected to the facts at hand.

8. Consumer Reviews and Defamation: The General Framework

Online consumer reviews sit at the intersection of the principles described above. A review that confines itself to a customer's own, true, first-hand experience of a product or service — even where that experience was negative, and even where the language used is critical — draws on the same defences available to any defamation defendant: truth, and where relevant, Exception 1's public-good limb, since informing prospective customers of a genuine service deficiency is ordinarily understood as serving a public purpose. The position becomes more difficult where a review asserts facts the author cannot substantiate, exaggerates beyond what actually occurred, or moves from criticising a transaction to attacking an individual's personal character on matters unconnected to that transaction.

9. How the Law Applies on These Facts

This section applies the general principles set out above to the specific facts of this matter, for illustrative purposes only.

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10. Frequently Asked Questions

Q. Can a business sue a customer over a negative but true online review?

A.	CONTENT WITHHELD
CONTENT WITHHELD	
CONTENT WITHHELD	
CONTENT WITHHELD	

Q. Does truth alone protect a reviewer from a criminal defamation complaint?

A.	CONTENT WITHHELD
CONTENT WITHHELD	
CONTENT WITHHELD	
CONTENT WITHHELD	

Q. What happens if a company demands a review be taken down before any court decides the matter?

A.

CONTENT WITHHELD

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Q. Does staying silent about a business's later attempt to fix a problem amount to defamation?

A.

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Q. Is a strongly worded but factually accurate review automatically "malicious"?

A.

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CONTENT WITHHELD

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11. A Note on the Facts and Law in This Sample

The customer, the business, and every date, amount, and specific event described in this sample are entirely fictional and created solely to illustrate how the law discussed above applies to a realistic fact pattern. The statutory provisions of the Bharatiya Nyaya Sanhita, 2023 and the judicial precedent referred to in this document, however, are genuine, currently in force (or, in the case of the cited precedent, currently good law), and independently verified against primary and cross-checked secondary sources before inclusion.

This Educational Note is a general information resource. It states what the law provides and how courts have interpreted it; it does not tell any reader what to do about their own situation. Anyone facing an actual defamation allegation or considering making one should consult a qualified advocate about the specific facts of their own case.