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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ CS(COMM) 166/2026

JUBIN NAUTIYAL .....Plaintiff

Through: Mr. Vivek Vidyarthi, Ms. Suvigya Vidyarthi, Ms. Sarvagya Vidyarthi, Mr. Nischay Chaudhary, Ms. Apoorva Singh, Ms. Rushali Rawat and Ms. Samriddhi Shukla, Advocates.

versus

JAMMABLE LIMITED & ORS. .....Defendants

Through: Mr. Rohan Ahuja and Ms. Sugandha Chhibber, Advocates for D-5 and 9.
Mr. Akshay Maloo and Mr. Gyandndra Rathoor, Advocates for D-15.

CORAM:
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

O R D E R

% **19.02.2026**

I.A. 4651/2026 (Pre-institution Mediation)

1. This is an application filed by the plaintiff seeking exemption from instituting pre-litigation mediation under Section 12A of the Commercial Courts Act, 2015 (hereinafter referred to as '*CC Act'*).

2. As the present matter contemplates urgent interim relief, in light of the judgment of the Hon'ble Supreme Court in ***Yamini Manohar vs. T.K.D. Keerthi**: **(2024) 5 SCC 815**,* exemption from the requirement of pre-institution mediation is granted.

3. The application stands disposed of.

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I.A. 4648/2026 (Leave to file additional documents)

4. The present application has been filed on behalf of the plaintiffs under Order XI Rule 1(4) read with Section 151 of the Code of Civil Procedure, 1908, (hereinafter referred as '*CPC*') as applicable to commercial suits under the CC Act seeking exemption from filing clear and true typed copies of the documents.

5. The plaintiffs are permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018 within 30 days.

6. Accordingly, the application stands disposed of.

I.A. 4649/2026 (Exemption from filing original/ translated documents)

7. This is an application filed under Section 151 of CPC on behalf of the plaintiff seeking exemption from filing original/translated documents.

8. Exemption allowed, subject to just exceptions. However, original/translated documents be filed within four weeks with an advance copy to the defendants.

9. The application stands disposed of.

I.A. 4650/2026 (seeking leave to file certain documents on a DVD/ VCD)

10. This application has been filed by plaintiff seeking permission to place on record DVD/VCD containing audios/videos of the songs sung by the plaintiff.

11. In view of the facts and circumstances stated in the application, the same is allowed. The DVD/CVD is permitted to be filed.

12. Accordingly, the application stands disposed of.

I.A. 4652/2026 (Exemption from notice under Section 80 of the CPC)

13. This is an application filed by the plaintiff under Section 80(2) read with Section 151 of CPC, seeking exemption from serving prior notice to defendant no.17 i.e., the Ministry of Electronics and Information Technology

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and defendant no.18 i.e., Department of Telecommunications.

14. Having regard to the fact that the plaintiff is seeking urgent *ex-parte ad-interim* injunction against the private defendants, the mandatory notice under Section 80 of CPC is exempted.

15. The application stands disposed of.

I.A. 4653/2026 (Delay)

16. This is an application filed under Section 151 of CPC on behalf of the plaintiff seeking condonation of delay of ten (10) days in re-filing the present suit.

17. For the reasons stated therein, the application is allowed. The delay of ten (10) days in re-filing the present suit is hereby condoned.

18. The application stands disposed of.

I.A. 4647/2026 (Stay)

19. Present application has been filed on behalf of the plaintiff under Order XXXIX Rules 1 & 2 of CPC, seeking *ex-parte ad-interim* injunction against the defendants.

20. The plaintiff has filed the present suit to protect his personality/publicity rights which include his name, voice, vocal style and technique, vocal arrangements and interpretations, mannerism and manner of singing, image, caricature, photographs, likeness, signature and various other attributes of the personality rights against unauthorised/unlicensed use and commercial exploitation by third parties. The plaintiff claims to have studied Music as a subject and built a base in classical music during his schooling years. He claims to have learnt playing instruments like guitar, piano, harmonium and drums. He asserts that by the age of 18 years, the plaintiff became a well-known singer in Dehradun, Uttarakhand. The plaintiff states to have given live performances at many events and donated to charities, and became publicly and musically active in 2011 when he participated in the

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television music reality show 'X-Factor'. Plaintiff claims to make his debut in the Indian music industry with the song '*Ek Mulakat*' from the film *Sonali Cable* (2014), sang the song '*Meherbani*' for the movie *The Shaukeens* in the same year. For the movie *Bajrangi Bhaijaan,* he sang the song '*Zindagi'*; '*Bandeyaa'* for the movie *Jazbaa*; '*Tu Itni Khoobsurat Hain Reloaded*' for the movie *Barkhaa* and '*Samandar*' with Shreya Ghoshal for the movie *Kis Kisko Pyar Karoon*.

21. Plaintiff claims to have also sung vernacular songs in a Telugu film *Sarrainodu* and the Bengali film debut in the film *Aashiqui*. The plaintiff claims to have performed on MTV Unplugged Season 5 in the year 2016 and sang *Dahleez's* track '*Jiya Re*'. The plaintiff has given detailed references to various songs in many hit movies and blockbusters in the entertainment world in para nos.11, 12, 13 & 14 of the plaint and are not being repeated herein for prolixity. Suffice it to say that the plaintiff claims to have established exceptional goodwill and reputation in the music industry through his remarkable contribution and achievements over the last many years. Plaintiff has gained immense respect and admiration within the industry and among the global audience.

22. The plaintiff claims to have enjoyed extensive and widespread social media presence on Instagram, Facebook and YouTube. The plaintiff's social media handles boast a large number of followers of approximately 9.7 million and 12.1 million followers on Facebook and Instagram respectively. The extracts and screenshots are annexed in the documents with the suit plaint.

23. Plaintiff states to have made significant contributions for public welfare through various philanthropic undertakings, like during the Coronavirus pandemic by distributing ration kits to the public and performing in fund raising concerts to support people impacted by floods in District Chamoli, Uttarakhand.

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24. Plaintiff claims to have received many awards and achievements recognising his talent. The list of some of them are enumerated in para 20 of the plaint and are reproduced hereunder:

S. No.	AWARD	HONORING BODY	YEAR
1.	Mirchi music awards	Mirchi	2015
2.	ITA Awards	ITA	2017
3.	IIFA Awards	IIFA	2022
4.	HT India's Most Stylish Awards	Hindustan Times	2022
5.	Wow Awards Asia	Wow	2024
6.	IIFA Awards	IIFA	2025
7.	IIA Awards	IIA	2025

25. He also claims to have been felicitated with the award for 'Best Male Playback Singer' at the IIFA Awards twice, once in year 2022 and the other in the year 2025. Plaintiff claims to have been honoured at the Wow Awards, Asia, which is a recognition of the plaintiff's eminence, goodwill and reputation showcasing the immense commercial value of the plaintiff all over the globe.

26. On the aforesaid basis, plaintiff claims that the commercial endorsements are done through utilisation of his personality, name, voice, vocal style and technique, vocal arrangements and interpretations, mannerism

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and manner of singing, image, caricature, likeness, signature and other characteristic which are uniquely identifiable and associated exclusively with the plaintiff. Plaintiff claims that no one is entitled to use and/or misappropriate and/or imitate any facets of the plaintiff's personality, including the aforesaid facets of his personality. The plaintiff claims that the facets which are protectable are as under:

i) The plaintiff's name;

ii) The plaintiff's voice/vocal style and technique/vocal arrangements and interpretations;

iii) The plaintiff's mannerism/manner of singing;

iv) The plaintiff's image/photograph/caricature and his likeness; and

v) The plaintiff's signature.

27. The plaintiff, in para nos.36 to 41 of the plaint, mentions significant details as to how the defendant nos.1 to 4, some of whom are AI platforms, utilised sophisticated machine learning algorithms, to create audio and visual contents, mimicking and reproducing the plaintiff's features such as his name, voice, manner of singing etc. for unauthorised commercial/financial gains. The plaintiff claims that such platforms also clone various personality attributes of the plaintiff unauthorisedly. Some of such infringers are listed hereunder:

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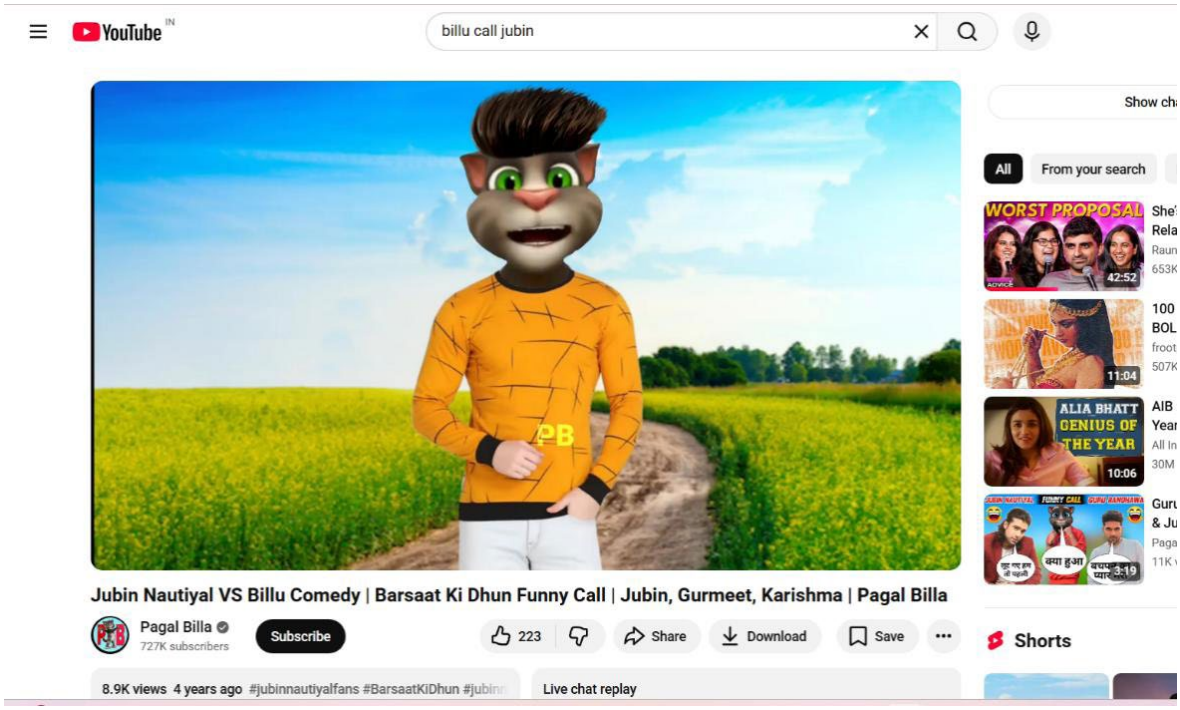

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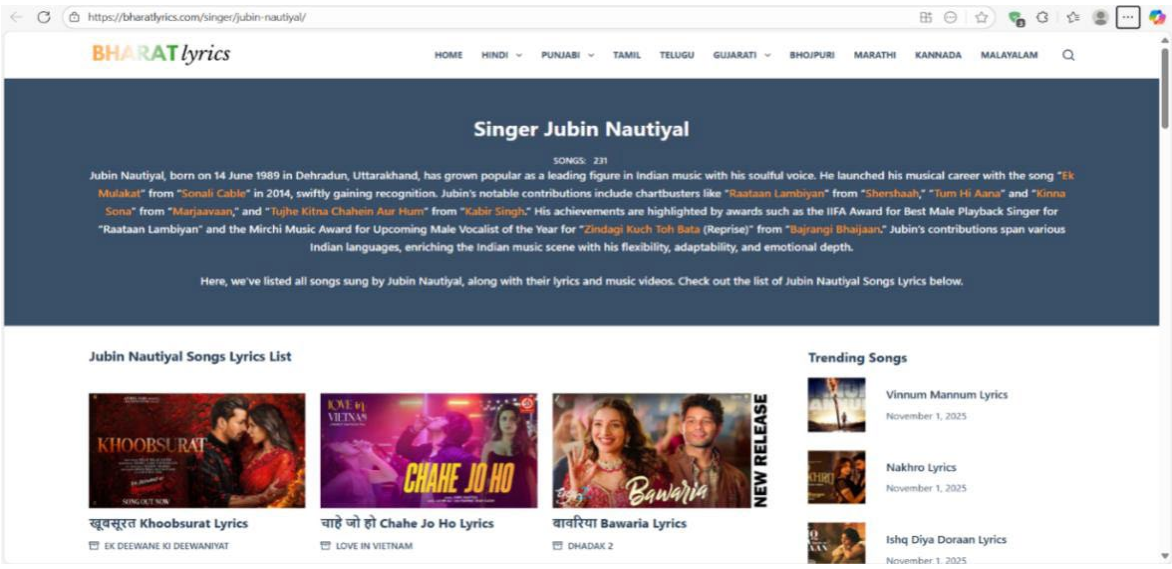
28. In para 42 onwards, the plaintiff refers to various domains which are infringing his personality rights, some of which are reproduced hereunder:



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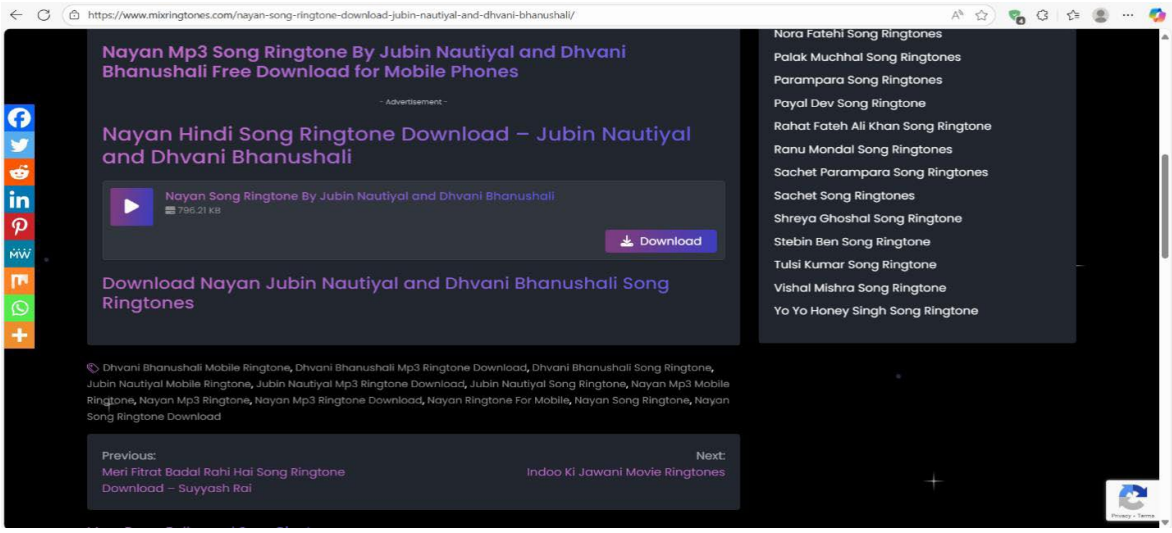

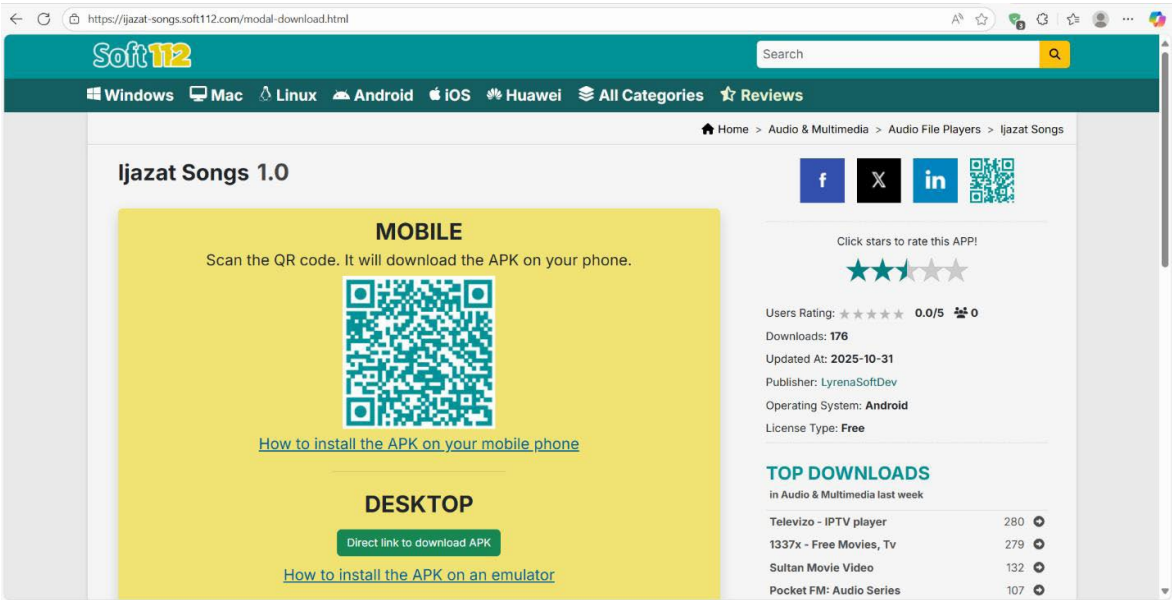

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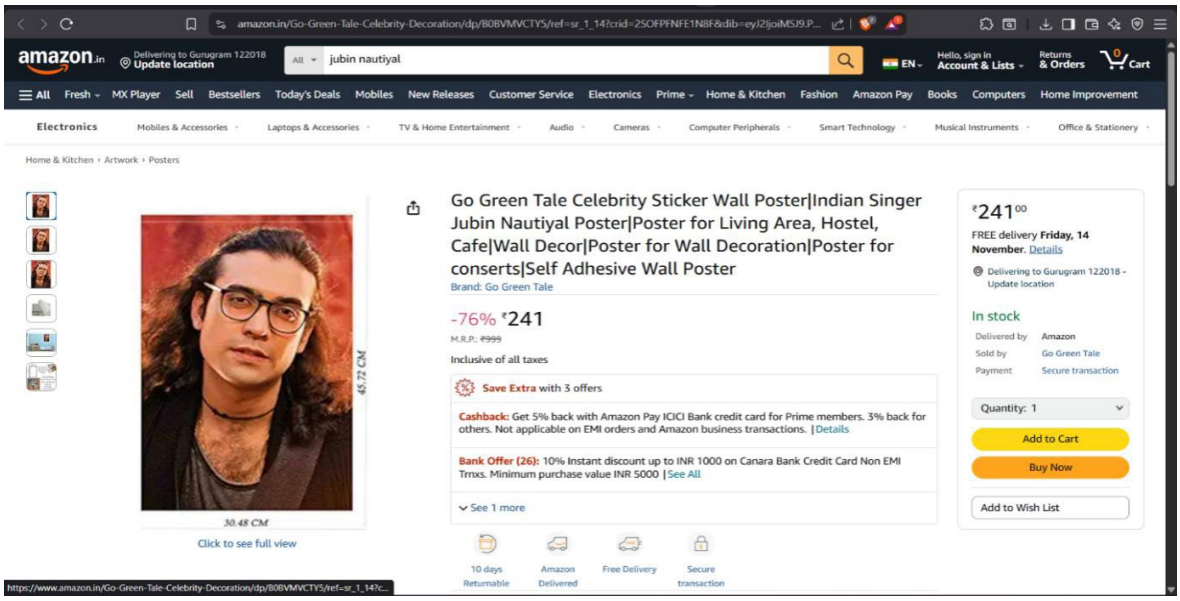
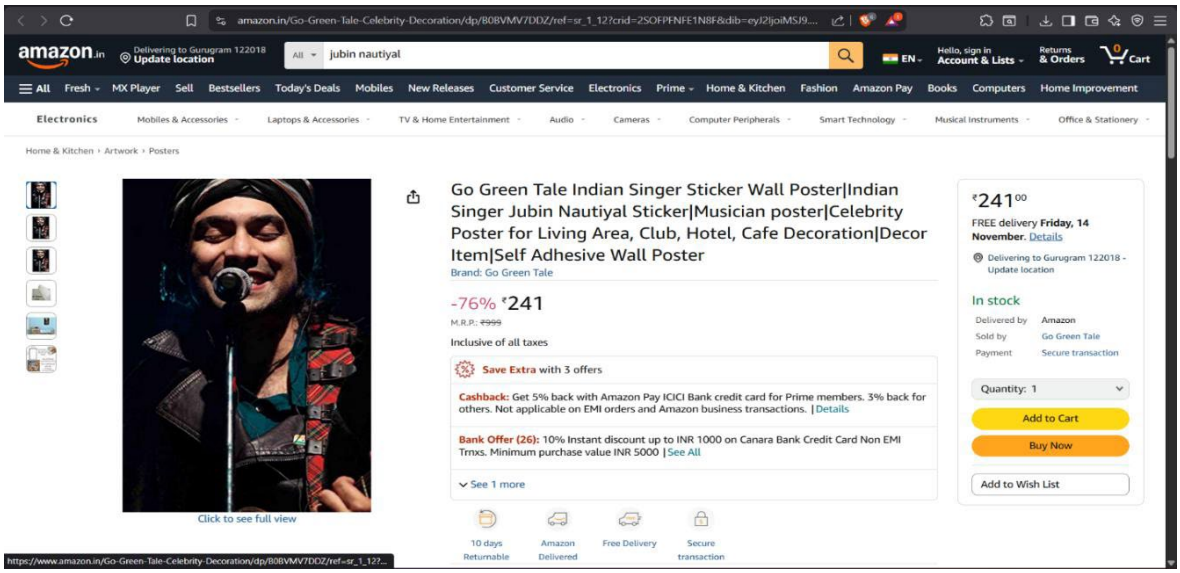
29. From para 43 onwards, the plaintiff gives detailed references to certain digital design platforms, which are indulging in sale of merchandise bearing the plaintiff's name, image, likeness and caricature. One of such infringers is stated to be 'Creative Fabrica' which is arrayed as defendant no.12.

30. Defendant nos.14 & 15 are stated to be e-commerce websites, www.flipkart.com and www.amazon.in, which are also exploiting the plaintiff's publicity rights, goodwill and reputation etc. by advertising, promoting and offering for sale various merchandising equipment. Some of such items are enumerated hereunder:





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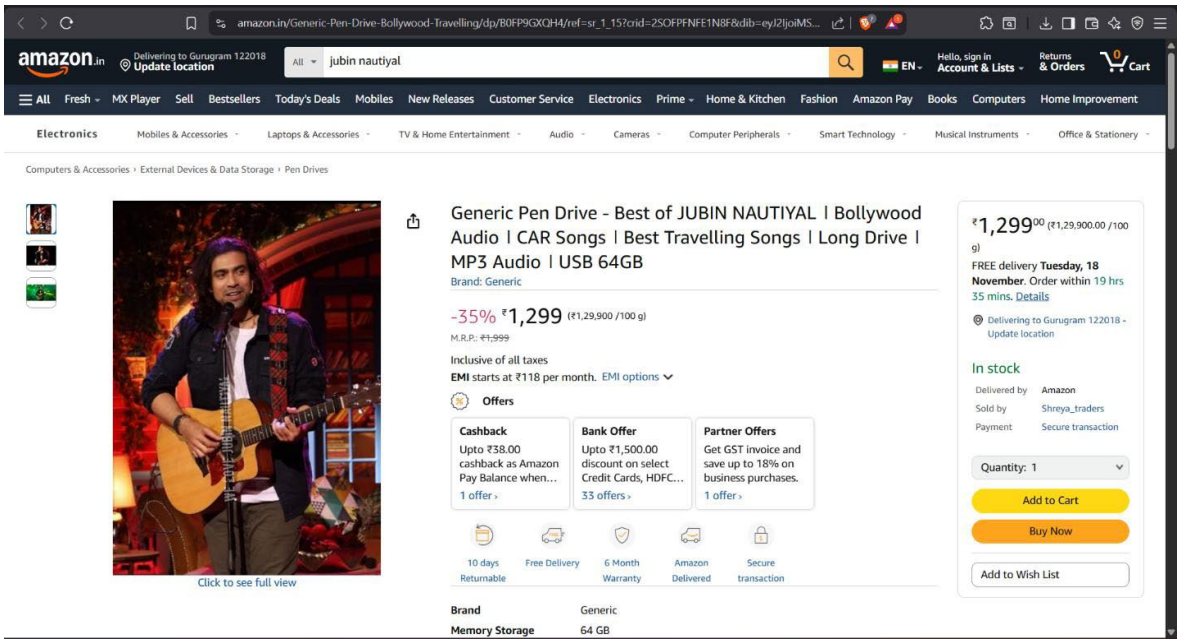

31. Defendant nos.17 and 18, are the Ministry of Electronics and Information Technology and the Department of Telecommunications, respectively, impleaded to facilitate implementation of the Court's orders. Defendant no.19 are John Doe(s)/Ashok Kumar(s), who are presently unidentified but verily believed to be engaged in infringing activities. The defendant wise infringing activity has been presented in a tabulated form in para 48 of the plaint.

32. In short, plaintiff claims that the defendants are infringing plaintiff's personality/publicity rights in the following manner:

i) <u>By use of Technology (including artificial intelligence and in particular, generative artificial intelligence)</u>: to create voice, images, morph the plaintiff's face onto videos, distort the plaintiff's facial expressions, overlaying profane audio clips to certain video clips of the

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plaintiff, creating AI platforms which permit the creation of unlicensed chatbots, etc.

ii) Through sale of products/merchandise: These involve cases where dishonest traders physically affix the plaintiff's images, signature and other elements of his persona on products that they engage in manufacture and sale of, with the aim to unlawfully show a nexus/affiliation/sponsorship and/or association with the plaintiff, so as to boost their illegal profits.

33. Predicated on the above, the plaintiff seeks an *ex-parte ad-interim* injunction against the defendants as also seeks dynamic injunction.

34. After having perused the plaint, and the documents annexed therewith and having heard the arguments of learned counsel for the plaintiff, this Court is of the considered opinion that an *ex-parte ad-interim* injunction would be in order.

35. In the considered opinion of this Court, the plaintiff has a *prima facie* strong case and having regard to his well-known, popular and well-accepted personality, the balance of convenience is tilted in favour of the plaintiff. In case, *ex-parte ad-interim* injunction and other directions, as sought, are not passed, the irreparable loss and injury which may occasion may not be compensated in monetary terms. The dent and damage to the image and personality of the plaintiff, *prima facie*, appears to be real and present.

36. Accordingly, the following directions are passed:

A. Defendant nos.1, 2, 3, 4, 7, 8, 10, 11, 12 and 13 (including John Does), its directors, principals, proprietors, partners, officers, employees, agents, distributors, suppliers, affiliates, subsidiaries, franchisees, licensees, representatives, group companies and assignees are restrained from utilizing and/or in any manner directly and/or indirectly, using or exploiting or misappropriating the plaintiff's

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personality/publicity rights; and/or any other attribute of his persona which is exclusively identifiable with him, for any commercial and/or personal gain by including online platforms, publications, advertisements, promotional materials, merchandise, domain names, creating or using artificial intelligence voice models or voice conversion tool, synthesized voices or digital avatars, caricatures that imitate or mimic or represent the plaintiff and/or plaintiff's personality traits, artificial intelligence, generative artificial intelligence, machine learning, deepfakes, face morphing and/or GIFs, or any other commercial endeavour and on any medium or formats including websites, Metaverse, social media, etc.;

B. Defendant nos.1, 2, 3, 4, 7, 8, 10, 11, 12 and 13 (including John Does), its directors, principals, proprietors, partners, officers, employees, agents, distributors, suppliers, affiliates, subsidiaries, franchisees, licensees, representatives, group companies and assignees are restrained from importing, manufacturing, warehousing, selling and/or offering for sale, advertising, directly or indirectly dealing, in any manner, in any goods and/or services exploiting the plaintiff's personality/publicity rights and/or any facets thereof which is exclusively identifiable with the plaintiff;

C. Defendant nos.5, 6, 15 and 14 to take down/block access/suspend all infringing content that has been uploaded by the defendants and/or any other third-party, as identified in Annexure A attached to this Order as well as any other fresh link/post/video/mobile application/URLs provided by the plaintiff, which infringe the plaintiff's personality/publicity rights and to provide the plaintiff with necessary details available with them about the defendants and/or third-parties operating such links/posts/videos/apps/URLs.

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37. Let the plaint be registered as a suit.

38. Issue summons. Let the summons be served to the defendant(s) through all permissible modes upon filing of the process fee.

39. The summons shall state that the written statement(s) shall be filed by the defendant(s) within 30 days from the date of the receipt of summons. Along with the written statement(s), the defendant(s) shall also file an affidavit of admission / denial of the documents of the plaintiff, without which the written statement(s) shall not be taken on record.

40. Liberty is granted to the plaintiff to file replication, if any, within 30 days from the receipt of the written statement(s). Along with the replication filed by the plaintiff, an affidavit of admission / denial of the documents of defendant(s) be filed by the plaintiff, without which the replication shall not be taken on record.

41. In case any party is placing reliance on a document, which is not in their power and possession, its details and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

42. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.

43. List before the learned Joint Registrar on 28.04.2026 for completion of service and pleadings.

44. List before this Court on 25.08.2026

TUSHAR RAO GEDELA, J

FEBRUARY 19, 2026
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ANNEXURE A

LIST ON INFRINGING URLs [Status as on 19.02.2026]

1. https://youtu.be/MrzhAd0IZ4Y?si=hLMxJ6Akl9XsHXYA
2. https://youtu.be/Hq96B-4oidI?si=lReXike8LXfbRnBV
3. https://youtu.be/pFCnGEcxBOY?si=PAeGjfXmFDBWfLjg
4. https://youtu.be/ImHyl1ZVkk8?si=Q_zvMUN6Ngeglwp6
5. https://youtu.be/xYg6WgNus5k?si=_Zj68hfq4fsfHp6n
6. https://youtu.be/JQS3XQbbXNM?si=WiywI4VRkL2S9Jrs
7. https://youtu.be/mQxmTps0Pn8?si=ItWMJpoMHjIeRUDB
8. https://youtube.com/shorts/nIb7IB1BWa8?si=7FytnyAn5PG0Vc03
9. https://youtu.be/ISdHZogxOm0?si=-TFNQ-UKnLlJ6ls5
10. https://youtu.be/1fDT7_N6yzg?si=lC-g11nN0XF9kDnh
11. https://youtu.be/5YpPFQi6GGY?si=LL_g0M5scvS8RDY4
12. https://www.youtube.com/shorts/tsT6wHwR8MY
13. https://www.youtube.com/shorts/H-s8YGxgVYs
14. https://www.youtube.com/watch?v=RoAnQw2nses
15. https://youtu.be/1z79yRzX1a4?si=hh-vQxge3jaOeDoP
16. https://www.youtube.com/watch?v=qsc_O2YllC0
17. https://www.youtube.com/shorts/v9KEiXGIpHc
18. https://www.youtube.com/watch?v=j-FwV9zVNdU
19. https://www.youtube.com/watch?v=t7Z4qE0kxNA
20. https://youtu.be/ImHy|1ZVkk8?si-Q_zvMUN6Ngeg/up6
21. ..https://youtu.be/xYgoWgNusSk?si=_Z168hfq4fs/Hpon
22. https://youtu.be/1fDT7Noyzg?si=1C-g11nNOXF9kDnb
23. ..https://youtu.be/8jQLONgico1?si=iBGlsJx6de9kASBc
24. https://www.youtube.com/watch?x=qsc_02YI1C0
25. ..https://youtu.be/fr40nU4ROWU?si=BfEluUf2QRSc5J5b

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26.https://www.instagram.com/jubin_nautiyal_fans/

27.https://www.instagram.com/jubinnautiyal_fanforever/

28.https://www.instagram.com/reel/Cwd98ytM7jU/

29.https://www.instagram.com/jubin_fansclub001/

30.https://www.instagram.com/jubin_fans_lover_/

31.https://www.instagram.com/jubin_fan.club/

32.https://www.facebook.com/JubinnautiyalWWfan/

33.https://tenor.com/view/jubin-nautiyal-gif-7520203138103653642

34.https://tenor.com/en-GB/view/jubin-nautiyal-jubin-jubinsjantseriessong- gif-24430860

35.https://www.flipkart.com/jubin-nautiyal-digital-art-vectorposterbollywoodsingerposteredtpapeprint/p/itmb427995000010?pid=POSHBYHHNGB77XHY&lid=LSTPOSHBYHHNGB77

36.https://www.flipkart.com/jubin-nautiyal-digital-art-vector-posterbollywoodsingerpaperprint/p/itmaccc5df37cf83?pid=POSHG4PUQAHVCZGN&lid=LSTPOSHG4PUQAHVCZ

37.https://www.flipkart.com/jubin-nautiyal-digital-art-vector-posterbollywoodsingerfineprint/p/itm21d1dd2a7a27b?pid=POSH7SMCF3CJ2NZN&lid=LSTPOSH7SMCF3CJ2NZ

38.https://www.flipkart.com/jubin-nautiyal-digital-art-vector-posterbollywoodsingerposteredtpaperprint/p/itm34b2b49a74958?pid=POSHCYWPCGDXMQPV&lid=LSTPOSHCYWPCGDX

39.https://www.flipkart.com/artbox-sound-bollywood-jubin-nautiyalcalendar2025wall/p/itm4e7a26d120ed1?pid=CLDH7EDV8H2GZQGX&lid=LSTCLDH7EDV8H2GZQ

40.https://www.flipkart.com/jubin-nautiyal-digital-art-vector-posterbollywood-singerposter-

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41. https://www.amazon.in/GoGreenTaleCelebrityDecoration/dp/B0BVMVCTY5/ref=sr_1_14?sr=8-14
42. https://www.amazon.in/GoGreenTaleCelebrityDecoration/dp/B0BVMV7DDZ/ref=sr_1_12?sr=8-12
43. https://www.amazon.in/GoGreenTaleCelebrityDecoration/dp/B0BYJB8TDP/ref=sr_1_27?sr=8-27&xpid=HFU7aGfesPL3d
44. https://www.amazon.in/NautiyalStickerDecorationconsertsAdhesive/dp/B093C9FHD8/ref=sr_1_19?sr=819&xpid=HFU7aGfesPL3d
45. https://www.amazon.in/SongsterNautiyalDecorationconsertsResolution/dp/B08R8YCSB1/ref=sr_1_34?sr=8-34&xpid=HFU7aGfesPL3d
46. https://www.amazon.in/SongsterNautiyalDecorationconcertsAdhesive/dp/B08LKTFPLP/ref=sr_1_35?sr=8-35&xpid=HFU7aGfesPL3d
47. https://www.amazon.in/GoGreenTaleSongsterDecoration/dp/B0BVMS7KRD/ref=sr_1_34?sr=8-34&xpid=HFU7aGfesPL3d
48. https://www.amazon.in/NautiyalPosterIndianDecorativeResolution/dp/B086YXXYV9/ref=sr_1_22?sr=8-22&xpid=HFU7aGfesPL3d
49. https://www.amazon.in/StickerNautiyalMusicianDecorationAdhesive/dp/B08LKT78S4/ref=sr_1_28?sr=8-28&xpid=HFU7aGfesPL3d
50. https://www.amazon.in/GoGreenTaleNautiyalDecoration/dp/B0BVMRV5FV/ref=sr_1_25?sr=8-25&xpid=HFU7aGfesPL3d
51. https://www.amazon.in/StickerNautiyalMusicianDecorationAdhesive/dp/B093C7MB3T/ref=sr_1_20?sr=8-20&xpid=HFU7aGfesPL3d
52. https://www.amazon.in/JubinNautiyalPosterMulticolorUnframed/dp/B0BY4MH6NM/ref=sr_1_8?sr=8-8
53. https://www.amazon.in/NautiyalMusicianconsertsInteriorResolution/dp/B08R8YM4DS/ref=sr_1_13?sr=8-13

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54. https://www.amazon.in/NautiyalPosterOfficeStudentRCA2031/dp/B0BR89DBP2/ref=sr_1_20?sr=8-20&xpid=HFU7aGfesPL3d
55. https://www.amazon.in/StickerNautiyalMusicianconsertsAdhesive/dp/B093C7CLQH/ref=sr_1_35?sr=8-35&xpid=HFU7aGfesPL3d
56. https://www.amazon.in/GoGreenTaleNautiyalMusician/dp/B0DQ44C48Q/ref=sr_1_36?sr=8-36&xpid=HFU7aGfesPL3d
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