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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 369/2019

WARNER BROS. ENTERTAINMENT INC. Plaintiff

Through: Ms. R.Ramya, Ms. Mehr Sidhu,
Advocates

versus

HTTP.//TAMILROCKERS.WS & ORS.

..... Defendant

Through: None

CORAM:

**JOINT REGISTRAR (JUDICIAL) Dr. AJAY
GULATI (DHJS)**

ORDER

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16.10.2023

I.A. No. 20444/2023 on behalf of the plaintiffs under Order I Rule 10 CPC seeking impleadment of mirror websites, redirects, or alphanumeric variations as additional defendants nos. 281-295 in the memo of parties.

Heard.

The learned counsel for plaintiff has submitted that the Hon'ble Court was pleased to grant ex-parte *ad-interim* injunction in this suit against the defendants vide order dated 24.07.2019 and decree of permanent injunction vide order dated 10.10.2022 for infringement of its copyrights by the defendants with further directions that as and when plaintiff files an application under Order 1 Rule 10 for impleadment of such other websites which are violating the copyrights of the plaintiff, plaintiff shall file an affidavit confirming that the newly impleaded websites are mirror/redirect/alphanumeric websites, with sufficient supporting evidence and that the application shall be listed before Joint Registrar, who on being satisfied with the



material placed on record, shall issue directions to the ISPs to disable access in India to such mirror/redirect/alphanumeric websites.

It has been stated that after passing of the abovesaid judgment, other websites, as disclosed in the application, have also started violating the plaintiff's copyrights. These websites are mirrors, redirects or alphanumeric variations of the websites blocked pursuant to the orders dated 24.07.2019 and 10.10.2022 and which are also necessary party to this suit. It is further stated that details of proposed defendants has been disclosed in Schedule-A annexed with application. It has been further argued that even decree of permanent injunction dated 10.10.2022 is also liable to be extended against them and hence the application may be allowed.

I have heard the arguments and perused the record. The law to deal with such applications and extension of *ex-parte ad-interim* injunction to newly added defendant has already been laid down in *UTV Software Communication Ltd. & Ors. vs. 1337X.TO & Ors.*

The plaintiff has filed affidavit of investigator along with sufficient material to prove that proposed defendants/websites are mirror/redirect/ alphanumeric websites of the defendants which are also involved in violation of copyrights of plaintiff. Further, in para no. 28 of the judgment dated 10.10.2022 the Hon'ble Court has already directed as under :-

"The suit is decreed in terms of prayers given in paragraph no. 52 (i), (ii) and (iii) of the plaint. The plaintiff is also permitted to implead any mirror/redirect/alphanumeric websites which provide access to the websites operated by the defendants nos. 1 to 16 and 51 to 237 by filing an appropriate application under Order I Rule 10 of the CPC, supported by affidavits and evidence as directed in UTV Software (supra). Any



website impleaded as a result of such application will be subject to the same decree.”

In view of the submissions of Ld. Counsel for the applicant and the directions passed in judgment dated 10.10.2022, the websites mentioned in the prayer clause of the application especially Schedule-A are impleaded as defendant nos. 281-295.

Since the newly added defendants are also stated to be involved in violation of copyrights of the plaintiff, accordingly the decree of permanent injunction dated 10.10.2022 is also extended against newly added defendant nos. 281-295. The DoT, ISP and MEITY are directed to do the needful in terms of the abovesaid decree of permanent injunction dated 10.10.2022.

Amended memo of parties is taken on record.

I.A. stands disposed off.

Registry is directed to do the needful.

Copy of order be given *dasti*.

**AJAY GULATI - I (DHJS),
JOINT REGISTRAR (JUDICIAL)**

OCTOBER 16, 2023/sk

Click here to check corrigendum, if any