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

+ CS(COMM) 604/2022 and I.A. 14117/2022 (O-XXXIX R-1 & 2 of CPC)

STAR INDIA PRIVATE LIMITED Plaintiff

Through: Mr.Yatinder Garg, Ms.Vriti Jindal,
Mr.Akshay Maloo and Ms.Rimjhim
Tiwari, Advocates.

versus

7MOVIERULZ.TC & ORS. Defendants

Through: Mr.Piyush Beriwal, Sr.Panel Counsel
with Ms.Sahaj Garg, G.P.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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14.12.2022

1. Counsel for the plaintiff submits that the defendants no.22 to 28 being Domain Name Registrars (DNRs) have failed to comply with the directions passed by this Court on 2nd September, 2022.
2. Counsel for the plaintiff submits that an email has been sent on behalf of the plaintiff on 9th September, 2022 to all the aforesaid defendants to comply with the order passed by this Court on 2nd September, 2022. It is submitted that except for the defendant no.25, none of the defendants have responded to the said email. The defendant no.25 in its response to the aforesaid email of the plaintiff, has stated that the information requested by the plaintiff can only be supplied on producing a subpoena or a Court order passed by the U.S. Court.



3. Counsel for the plaintiff has placed before the Court a judgment dated 9th November, 2022 passed by a Coordinate Bench of this Court in CS(COMM) 567/2022 titled *Star India Pvt. Ltd. & Anr. v. MHDTV. World & Ors.*, wherein MeitY and DoT were directed to take action against the aforesaid DNRs for non-compliance of the orders passed by this Court. The relevant directions passed in the aforesaid judgment are set out below:

“11. In the backdrop of the above discussion, insofar as the above listed DNRs, which are not giving effect to the orders of this Court, i.e., NameCheap Inc./Defendant No.13, Dynadot, LLC/Defendant No.14, Tucows Inc./Defendant No.16, Gransy s.r.o./Defendant No.17, and Sarek Oy/Defendant No.18, since DoT and MeitY are present before this Court, they are directed to immediately take action within one week against these DNRs for non-compliance of the orders passed by this Court. The authorities shall also look into the question as to whether these DNRs ought to be permitted to continue to offer their goods and services in India, if they are not giving effect to orders of Indian Courts and not complying with the applicable laws under the Information Technology Act, 2000, and the 2021 Rules.”

4. Counsel for the plaintiff submits that other than the defendants no.23 and 25, all the other DNRs that are parties in the present suit were also parties in the aforesaid suit. He further submits that similar directions may be passed in the present suit.

5. As per office report, the defendants no.22 to 27 have been served through email. As per the affidavit of service filed on behalf of the plaintiff, the defendant no.28 also stands served. However, none appears on behalf of the aforesaid defendants despite service.

6. Counsel for the defendants no.38 and 39 further submits that in terms of the directions passed by this Court, the letters had been issued to the various ISPs to block access to the websites in question.



7. Counsel for the defendants no.38 and 39 seeks time to take instructions as to whether any action has been taken against the DNRs that were parties in CS(COMM) 567/2022 pursuant to the orders passed in CS(COMM) 567/2022.
8. A copy of the Status Report, if any, filed on behalf of the defendants no.38 and 39 in CS(COMM) 567/2022 be placed on record in the present case as well.
9. List on 1st February, 2023.

AMIT BANSAL, J

DECEMBER 14, 2022

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