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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 193/2019 & I.As. 5399/2019, 11497/2019, 18216/2019, 15451/2021, 6069/2022**
COLGATE PALMOLIVE COMPANY & ANR. Plaintiffs

Through: Mr. Pravin Anand, Mr. Saif Khan &
Mr. Rohil Bansal, Advocates (M-9079965359)

versus

NIXI & ANR. Defendants

Through: Ms. Akshita Jain, Advocate for D-1 (M-9990526912).
Mr. Darpan Wadhwa, Sr. Advocate with Ms. Swati Agarwal, Ms. Binsy Susan, Mr. Shashank Mishra, Ms. Akshi Rastogi, Ms. Vaani Kaushik & Mr. Vaarish Sawlani, Advocates for D-3-4.
Mr. Anurag Ahluwalia, CGSC with Mr. Danish Faraz Khan, Advocate for UOI (M-9811418995)
Mr. Tentu Satyanarayan, Director (Legal), UIDAI & Mr. Tanmaya Nirmal, Deputy Manager (Legal & Policy), UIDAI (M-9899113033).
Mr. Kushagra Goel, Mr. Abhimanyu Yadav, Mr. Nikhil Jayant & Mr. Lovesh Goel, Advocates for D-7 (M-9711443294).
SI Prince Kumar, PS Hauz Khas.



CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% 13.09.2022

1. This hearing has been done through hybrid mode.
2. The present suit is part of the batch matters related to Domain Name Registrars, that are being heard by this Court. Vide the previous order dated 12th September, 2022, it was noted that in this matter, the details of Defendant No.7- Mr. Rohit Nanda, had been forged by someone, to create a bank account for conducting fraudulent activities, and for soliciting customers using an infringing domain name. Upon police investigation, it was discovered that while certain details of the impostor, such as the Aadhaar and PAN card details used for creation of the bank account, were same as that of Mr. Rohit Nanda, some other information such as the biometric information of the impostor was different. Accordingly, notice was issued to the Unique Identification Authority of India (UIDAI) through Mr. Tentu Satyanarayana, Assistant Director General (Legal), UIDAI (e-mail: tentu.satyanarayana@uidai.net.in) to ascertain the identity of the impostor, and Mr. Anurag Ahluwalia, Id. CGSC, was asked to seek instructions.
3. Today, pursuant to the above order, Mr. Ahluwalia, Id. CGSC, has appeared in Court along with Mr. Tentu Satyanarayana, Assistant Director General (Legal), UIDAI and Mr. Tanmay Nirmal, Manager (Legal), UIDAI.
4. Notably, Mr. Rohit Nanda has filed his written statement, and submitted that his Aadhaar card number is 592187419052. The second Aadhaar card bearing number 511148228029, which bears the same name,



same father's name, as also the same address, does not belong to him. It is submitted by Id. Counsel for Mr. Nanda, that the photographs on the two cards, signatures and contact details are also different. It is further submitted that the said contact details of the second Aadhaar card are available with UIDAI.

5. On behalf of UIDAI, Mr. Ahluwalia submits that there are two Aadhaar cards which have been issued under the name of Mr. Rohit Nanda, with the same address, and same father's name. He further submits that it appears that the second Aadhaar card has been obtained by some person claiming to be Mr. Rohit Nanda. However, when asked for the details of the second Aadhaar card holder, he brings to the notice of the Court that Section 33 of the Aadhaar (Targeted Delivery of Financial and other Subsidies, benefits and services) Act, 2016, requires an opportunity of hearing to be given to the Aadhaar card holder for disclosure to the Court of identity information or authentication records, and in any case, core biometric information cannot be disclosed.

6. In light of these submissions and considering the fact that two Aadhaar cards appear to have been issued with the same address, same name and same father's name and Defendant No.7 who is Mr. Rohit Nanda and in whose name both cards have been issued, has been heard and has no objection to the information being disclosed, let the details of both the Aadhaar cards which are with the UIDAI, be placed before the Court in a sealed cover tomorrow, for further directions.

8. List on 14th September, 2022.

PRATHIBA M. SINGH, J

SEPTEMBER 13, 2022/Rahul/MS