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

+ CS(COMM) 310/2024, I.A. No. 8449/2024, I.A. No.4787/2025, I.A. No.9497/2025, I.A. No.13161/2025 & I.A. No.13858/2025, I.A. 17933/2025

ROARK CAPITAL MANAGEMENT LLCPlaintiff

Through: Mr. Sourabh Rathi and Gauri Pasricha
Advocates.

versus

HAN LIN XIE (REGISTRANT OF ROARKS. IN) & ORS.

.....Defendants

Through: Mr. Mrinal Ojha, Debrishi Dutta,
Shivam Tiwari, Arjun Mookerjee
Ms. Nikita Rathi, Advocates for D-3.

Ms. Nidhi Raman, CGSC with Mr.
Arnav Mittal and Mr. Om Ram,
Advocates for D-5 & D-6/ UOI.

Mr. Varun Pathak, Advocate for D-7
and Mr. Puru for D-2, Advocates
(through VC).

Ms. Swati Aggarwal, Ms. Shashank
Mishra, Ms. Shivika Mattoo and Ms.
Ritika Bansal, Advocates for D-9.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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31.07.2025

I.A. No. 4787/2025 (under Order XXXIX Rule 4 read with Section 151 of CPC)

1. This is an application filed by defendant No. 9 (WhatsApp LLC)



under Order XXXIX Rule 1 and 2 of the Code of Civil Procedure, 1908 ('CPC') praying to vacate, set aside, or modify the interim orders dated 16.04.2024 and 01.10.2024.

2. Learned Counsel for the applicant/defendant No. 9 states that this Court had issued directions to defendant No. 9 vide order dated 01.10.2024.

2.1 She states that defendant No. 9 was able to partially comply with the said directions and the compliance is summarised in paragraph no. 9 of the captioned application, which reads as under:-

"The Interim Orders direct WhatsApp to action 36 WhatsApp accounts ("**Target Accounts**") and 9 WhatsApp groups ("**Target Groups**"). WhatsApp has complied with the Interim Orders to the extent possible.

a. WhatsApp confirms that pursuant to the First Interim Order, extended to WhatsApp by the Second Interim Order, it has actioned 24 Target Accounts (see table filed as **DOCUMENT - D**).

b. There is no evidence demonstrating that At-Issue Content has been circulated by 12 Target Accounts (see table filed as **DOCUMENT - E**).

c. Based on the information Plaintiff has provided (i.e. group name and admin account numbers), WhatsApp is not able to locate any of the 9 Target Groups. (see table filed as **DOCUMENT- F**)."

2.2 She states that the aforesaid compliance may be accepted by the Court in satisfaction of the directions issued on 01.10.2024.

3. Learned counsel for the plaintiff states that the plaintiff is satisfied with the steps taken by defendant No. 9 and has no objection if the compliance is accepted.

4. In view of the submissions made in the application as well as the submissions of the plaintiff, the compliance reported by defendant no. 9 is accepted.



5. Accordingly, the application stands disposed of.

I.A. No. 9497/2025

6. This is an application filed by defendant no. 2 under Order XI Rule 2, CPC seeking leave to deliver interrogatories to defendant nos. 3 and 4.

7. Learned counsel for defendant no. 3 states that he has already submitted a reply to this application and also answered the interrogatories to the best of his knowledge.

8. Learned counsel for the applicant/defendant no. 2 states that he has received the reply and is satisfied with the reply of defendant no. 3. The said statement is taken on record.

9. He states that service on defendant no. 4 is still awaited.

10. List before the learned Joint Registrar on **01.09.2025**.

I.A. No. 8449/2024

11. Learned counsel for the plaintiff is at liberty to file its rejoinder to the replies received within four (4) weeks.

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Directions vis-à-vis Defendant No. 1

12. Learned counsel for the plaintiff states that defendant no. 1 was served with summons on 15.10.2024 through e-mail. He refers to the order dated 19.11.2024 passed by the learned Joint Registrar recording this fact.

13. He states that statutory period of 30 days and maximum period of 120 days is over and defendant no. 1 has neither entered appearance nor has filed written statement.

14. In view of the aforesaid submission of the plaintiff, the right of defendant no. 1 to file written statement is hereby closed.

Directions vis-à-vis to Registry



15. Learned counsels for the parties state I.A. No.13161/2025 & I.A. No.13858/2025, I.A. 17933/2025 already stands disposed of by the learned Joint Registrar (J) vide order dated 28.07.2025.

The Registry is directed not to reflect these applications in the cause-list.

16. Learned counsel for defendant nos. 7 and 9 state that they have complied with the orders of the Court and, therefore, be exempted from further appearance.

Learned counsel for the plaintiff has no objection to the said submissions.

17. Accordingly, defendant nos. 7 and 9 are exempted from further appearances, subject to their compliance with any further orders passed by this Court.

18. This Court has observed in matters akin to this suit, social media intermediaries are impleaded by the plaintiff for seeking compliances of the interim injunction and/or directions passed against the contesting defendant and no substantive relief is sought against the social media intermediary. However, due to non-appearance of a counsel on behalf of the social media intermediary, notices have to be issued and the limitation of the concerned social media intermediary in complying with the injunction and/or direction is not communicated at the hearing. This often leads to filing of applications for modification by the concerned social media intermediary. This Court has observed that especially defendant No. 9 (WhatsApp LLC) moves application for modification in several matters necessitated due to its policy.

19. Learned counsel for the plaintiff states that advance service in this suit was affected on defendant No. 9 (WhatsApp LLC), however there was no



appearance on 01.10.2024.

20. Learned counsel for defendant no. 7 suggests that if the plaintiff serve the advance copy of the paper-book on the address of the Grievance Officer disclosed on the social media platform, it would facilitate due appearance on behalf of the concerned social media intermediary.

21. Learned counsel for defendant No. 9 also submits that this would be a workable solution.

22. This Court has observed that several legal entities including PSUs/banks have nominated counsel and the plaintiff/petitioner is able to serve the defendant/respondent through nominated counsel. Social media intermediary is being regularly impleaded in suits/petitions for passing of effective orders and their compliances. The Registrar General or the concerned Registrar (Listing) is directed to call for a meeting of the representatives of all the social media intermediaries, who are regularly impleaded, to provide the e-mail address of their Grievance Officer and/or any other nominated officer authorized to receive advance service of the paper-book so that a counsel is deputed at the hearing. In addition, the social media intermediaries can also provide the details of their nominated counsel for receiving advance service in legal proceedings. The name of the legal entity vis-à-vis the social media intermediary may also be collated as often the name of the entity is pointed out to be incorrect. After collecting these details, the same can be compiled and made available to the registry for assistance of the lawyers to ensure compliance of advance service at the relevant and correct address.

Mr. Varun Pathak, Advocate, appearing on behalf of defendant no. 7 and Ms. Swati Aggarwal, Advocate appearing on behalf of defendant no. 9



are requested to assist the Registrar General by providing him the list of social media intermediaries and e-market places which are commonly impleaded as defendants within 10 days.

23. The aforesaid directions have been issued as in several matters applications are regularly received from the social media intermediary for amendment of memo of parties and modification of orders. Streamlining and making available this information will save judicial time.

24. Registry is directed to file an action taken report on this direction before the next date of hearing.

25. List before the Court on **07.01.2026**.

26. Copy of this order be sent to the Registrar General, Mr. Varun Pathak and Ms. Swati Aggarwal, Advocates for information and compliance.

MANMEET PRITAM SINGH ARORA, J

JULY 31, 2025/mr/AM