



\$~64

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

+ **CS(COMM) 437/2024 & I.A. 40603/2024**

**KARAN RAJESH DATTANI SOLE PROPRIETOR OF
DNYANADA**

.....Plaintiff

Through: Ms. Rajeshwari H, Ms. Raj Latha
Kotni, Ms. Swagita Pandey, and Ms.
Ananya Singh, Advocates
e-mail: rajlatha@lexport.in
Ph. No.: 9899978082

versus

FASHNEAR TECHNOLOGIES PVT LTD & ORS.

.....Defendants

Through: Mr. Faisal Sherwani, Mr. Shikher
Deep Aggarwal, and Ms. Sanjukta
Kaushik, Advocates for D-1.
Mob: 95999562591
Mr. Shubham Saigal, Mr. Siddharth
Jain and Ms. Shambhavi Jaiswal,
Advocates for D-2.
Mob: 9407223688
Mr. Harsh Kumar, Advocate for D-3,
6 to 8, 10 to 12
Mob: 6205536862
Email: office@sarimnaved.com

**CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA**

**ORDER
01.10.2024**

%

**I.A. 40603/2024 (under Order XXXIX Rule 2A of the Code of Civil
Procedure, 1908 ("CPC"))**



1. By way of the present application, the plaintiff has pointed out that there are WhatsApp groups in which defendants are participants, in which various messages against the plaintiff are being circulated.
2. Learned counsel appearing for the plaintiff also points out to the averments made in the application as well as the screenshots filed in the application to submit that various social media messages and WhatsApp forwards are being created and propagated against the plaintiff herein.
3. Learned counsel appearing for the plaintiff submits that the main person, who is active in doing all these activities, is defendant no. 10.
4. Learned counsel appears on behalf of defendant nos. 2, 3, 6 to 8, 10 to 12.
5. Let affidavits be filed by the respective defendants with respect to the various averments made in the present application.
6. This Court notes that earlier also vide order dated 5th August, 2024, directions had been issued by this Court to the various defendants to not take part in any activity in order to pressurise the plaintiff in any manner, solely because of pendency of the present proceedings before this Court.
7. Accordingly, it is directed that the defendants shall not participate in any activity or forward any WhatsApp messages pertaining to the subject matter of the present proceedings.
8. Re-notify on the date already fixed, i.e., 22nd October, 2024.

CS(COMM) 437/2024

9. This Court notes that vide order dated 6th September, 2024, this Court had recorded the undertaking given by defendant nos. 2, 3, 6 to 8 and 10 to 12, without prejudice to their rights and contentions, that they will change the photograph of the saree and shall not use the photographs of the saree of



the plaintiff, as given in the plaint, or which is identically or deceptively similar to the said photographs.

10. Let an affidavit be filed by the defendants with respect to the change of the photographs.
11. Let the needful be done before the next date of hearing.
12. List before the learned Joint Registrar on 7th October, 2024.
13. List before the Court on 22nd October, 2024.

MINI PUSHKARNA, J

OCTOBER 1, 2024
ak