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

+ **CS(OS) 632/2024 & I.A. 9352/2025**

SHAZIA ILMI

.....Plaintiff

Through: **Mr. Thakur Ankit Singh, Advocates**

versus

RAJDEEP SARDESAI & ORS.

.....Defendants

Through: **Mr. Hrishikesh Baruah, Mr. Utkarsh Dwivedi, Ms. Radhika Gupta, Advs. for D-1, D-2, D-12.**

Mr. Varun Pathak, Mr. Yash Karunakaran and Mr. Tanuj Sharma, Advocates for D-4

Mr. Sauhard Alung, Advocate for D-5

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% 09.04.2025

I.A. 9352/2025 (Application under Section 151 of CPC on behalf of the Plaintiff seeking directions against the Defendant Nos. 3 and 4 to take down the posts with the impugned video)

1. The present application has been filed on behalf of the Plaintiff under Section 151 of the Code of Civil Procedure, 1908 (CPC) seeking the following prayers: -

- 1) Pass an order allowing the present application and direct Defendants No.3 and 4 to take down the posts with the Impugned Video, whose links are given in Para 5; and;
- 2) Pass an order allowing the present application and direct Defendants No.3, 4 and other Defendants to immediately take down any such posts from their platform which contain Impugned Video and Tweet; and;



1.1. It is stated that this Court vide order dated 13.08.2024 had passed an ad-interim injunction order directing concerned Defendant(s) to forthwith take down the Impugned Video posted on the Twitter/X account until final disposal of the application I.A. No. 36026/2024.

1.2. It is stated that further this Court vide judgment dated 04.04.2025 decided the I.A. No. 36026/2024 filed under Order XXXIX Rules 1 and 2 CPC and ad-interim order dated 13.08.2024 was confirmed.

1.3. It is stated that pursuant to the passing of the judgment dated 04.04.2025 certain individuals have, however, uploaded the Impugned Video on the social media platform of Defendant Nos. 3 and 4; which is in contravention of the injunction issued on 04.04.2025.

1.4. It is stated that the Plaintiff through her counsels have issued a legal notice on 04.04.2025 to the Defendant No.3 for taking down the posts which are mentioned at paragraph '5' of the present application.

1.5. It is stated that this Court in the judgment dated 04.04.2025 has categorically held that the video recording from 23 to 40 seconds of the Video No.3 (i.e., 18 seconds) is violative of privacy rights of the Plaintiff and that the same cannot be used without the express consent from the Plaintiff. It is stated that it is in these circumstances the present application has been filed for seeking directions to Defendant Nos. 3 and 4.

2. Issue notice.

Defendant No.4

3. Mr. Varun Pathak, Advocate enters appearance and accepts notice on behalf of legal entity vis-à-vis the social media platform of Instagram i.e., Defendant No.4.

3.1. He submits at the outset that the correct legal entity is 'Meta Platforms



Inc.’ and the Plaintiff be directed to amend the memo of parties accordingly qua Defendant No.4.

3.2. He states that as per the list set out in the application at paragraph ‘5’, the only the user enlisted at Sr. No. 7 pertains to Instagram.

3.3. He states that the post at Sr. No. 7 is dated 27.07.2024, however, Defendant No. 4 will abide by any directions issued by this Court.

Defendant No. 3

4. The impugned posts at Sr. Nos. 1 to 6 and 8 as mentioned in paragraph ‘5’ of the present application pertains to social media platforms of Defendant No. 3.

4.1. An endeavour was made to have a counsel for Defendant No. 3 present, however the same has not been possible. Mr. Ankit Parhar, Advocate who ordinarily appears for Defendant No. 3 in other suit proceedings was called for, however, he expressed his inability to accept notice in the absence of instructions from the said Defendant.

Defendant Nos. 1 and 2

5. Mr. Baruah, learned counsel for Defendant Nos. 1 and 2 accepts notice. He states that the said Defendants have not authorized the uploading of the said video by any of the users mentioned in the application.

Directions

6. This Court has heard the learned Counsels for the parties and perused the record.

7. This Court vide the judgment dated 04.04.2025 has decided and partially allowed the I.A. No. 36026/2024. At paragraph ‘20’ of the said judgment this Court observed that the 18 seconds video recording forming



part of the Video No.3 is violative of the privacy rights of the Plaintiff therefore, injuncting its use/publication by the Defendants.

8. A perusal of contents available by accessing the links mentioned at paragraph '5' of the present application and 'Document No.3' filed along with the present application shows that various individuals have published the Video No.3 or the violative 18 seconds video recording forming part of Video No.3, on their respective social media handle on the platforms of Defendant Nos. 3 and 4.

9. In the opinion of this Court the act of the said account holders in publishing the violative 18 seconds video recording forming part of Video No.3 on their respective social media handle as mentioned at paragraph '5' of this application is in direct contravention of the findings of this Court's ad-interim order dated 13.08.2024 and judgment dated 04.04.2025 passed in the underlying suit. This Court at paragraph '20' of the judgment dated 04.04.2025 has categorically held that recording and publication of the 18 seconds video recording forming part of Video No.3 is violative of the privacy rights of the Plaintiff. The injunction granted will not be confined to the Defendants to the underlying suit but will also apply to any person who publishes the said 18 seconds video recording forming part of Video No.3.

10. In view of the aforesaid, the Defendant Nos. 3 is directed to forthwith take down the posts of the user at Sr. no. 1, 2, 3, 4, 5 and 8 as mentioned at paragraph '5' of the present application.

11. With respect to user at Sr. no. 6 on the platform of Defendant no. 3 has uploaded the impugned post on 14.08.2024, which is prior to the judgment dated 04.04.2025. However, the video attached with the post contains the 18 second video footage, which has been injuncted from being posted or



circulated. Defendant no. 3 is directed to forthwith take down the said post referred to in this application.

12. This Court finds merit in the submission of the counsel for Defendant No. 4 that the post of the Instagram user predates the ad-interim injunction order dated 13.08.2024 and on the date of posting the said user was not in violation of the order of the Court. However, since the injunction order has now been made final vide judgment dated 04.04.2025, the said user as well is not entitled to upload and/or circulate the Impugned Video. Accordingly, Defendant no. 4 is directed to forthwith take down the post referred to in this application.

13. This Court takes note that account holders of Defendant No. 3 enlisted at serial nos. 1 to 5 and 8 paragraph '5' of this application, have posted the Impugned Video after the judgment dated 04.04.2025 was pronounced and in spite of being aware about the injunction granted by the Court, as is evident from the accompanying text portion of the said posts. The said account holders have thus posted the video in wilful contravention of the injunction granted by this Court restraining posting and circulation of the Impugned Video, to which Defendant No. 2 claim proprietary rights.

14. Defendant No. 3 is further directed to take appropriate action against the said social media accounts for wilfully violating Court's order and judgment in accordance with of terms of their service agreements and the Information Technology (Intermediary Guidelines and Digital Ethics Code) Rules, 2021 within one (1) week.

15. The compliance report of the above directions will be filed by Defendant No. 3 and Defendant No. 4 within two (2) weeks.

16. It is additionally directed that if there are any other instances of



publication of the 18 second video recording forming part of impugned Video No. 3 which come to the knowledge of Plaintiff in view of the injunction granted in order dated 04.04.2025, the Plaintiff is directed to communicate through counsel to the concerned Defendants and/or social media platforms.

17. Any such intimation received from the Plaintiff shall be independently examined and evaluated by the concerned Defendants/social media platforms and if found to be violative of the judgment dated 04.04.2025, the said Defendants/social media platforms will take action in accordance with law and keeping in view the injunction issued by this Court vide order dated 13.08.2024 and judgment dated 04.04.2025.

18. With the aforesaid directions, the present application stands disposed of.

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Deletion of Defendant No. 4 and 5

19. Learned counsel appearing on behalf of Meta Platform Inc. i.e., Defendant No.4 and Google LLC i.e., Defendant No. 5 submit that they will abide by the judgment dated 04.04.2025 and order passed today and therefore, they may be deleted from the array of parties.

20. Accordingly, Defendant No. 4 and Defendant No. 5 are deleted from the array of parties.

21. Amended memo of parties be filed within one (1) week.

Issuance of show-cause notice to social media account holders at Sr. No. 1 to 5 and Sr. No. 8 at paragraph '5' of the I.A. 9352/2025

22. The action of the social media account holders at Sr. No. 1 to 5 and Sr. No. 8 mentioned at paragraph '5' of the I.A. 9352/2025 in uploading the Impugned Video is in contravention of the judgment dated 04.04.2025. The



said account holders posted the Impugned Video despite being aware about the injunction against circulation of the said video.

23. Defendant No. 3 is directed to provide basic subscriber information (BSI) of the said account holders to the Plaintiff within one (1) week.

24. Upon information being provided, the Plaintiff is directed to take steps for issuance of show-cause notice returnable on 29.08.2025 to the said account holders, for as to why action may not be initiated against them for violating the orders of this Court.

25. List on 29.08.2025 i.e., the date already fixed.

26. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

APRIL 9, 2025/mt/sk

[Click here to check corrigendum, if any](#) Mr.