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

+ **CS(COMM) 734/2024 & I.A. 37705/2024 I.A. 40610/2024 I.A. 46497/2024 I.A. 580/2025 I.A. 15435/2025**

COMPAGNIE DES CRISTALLERIES DE SAINT LOUIS

.....Plaintiff

Through: Ms. Tusha Yadav, Ms. Sugandha Yadav, Advocates

versus

SAMIR ALIAS ELSA ALIAS AISHA ALIAS ANNA ALIAS LINDSAY ALIAS STEPHANIE ALIAS EMILY ALIAS SANJAY ENTERPRISE OPERATING AS WWW.SAINT-LOUIU.COM & ORS.

.....Defendants

Through: Mr. Rajat Khattry, Mr. Ravilochan Daliparth, Advocate for D-2.

Mr. Aditya Gupta and Ms. Asavari Jain, Mr. Saumard Alung, Ms. Vani, Advocates for D-4 (Google LLC)

Mr. Mukul Singh, CGSC with Mr. Aryan Dhaka, Advocates for D-5 and 6 (UOI)

Ms. Swati Agarwal, Mr. Shashank Mishra, Mr. Vaarish Sawlani and Ms. Rithika Mathur, Advocates for D-7 (WhatsApp LLC)

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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11.08.2025



I.A. 580/2025(Application on behalf of Defendant No.7 under Order XXXIX Rule 4 CPC seeking vacation of the order dated 29.08.2024 and 16.10.2024)

1. The present application has been filed by Defendant No. 7/WhatsApp LLC under Order XXXIX Rule 4 of the CPC seeking modification of the order dated 29.08.2024 and 16.10.2024 vis-à-vis Mob. No. +91 8105195240 and +91 7092805097.
2. Learned counsel for the Defendant No.7 states that Defendant No. 7 is of the opinion that the Plaintiff has not placed on record any sufficient evidence demonstrating that at-issue content has been circulated by the said numbers, justifying the blocking of the said numbers.
 - 2.1. She states that since order was passed *ex-parte*, Defendant No. 7 deemed it appropriate to bring this fact to the attention of this Court.
 - 2.2. She states that moreover, there is no WhatsApp account associated with the Mob. No. +91 7092805097.
3. The plaintiff contests the submission that Mob. No. +91 7092805097 is not available on WhatsApp and submits that messages can be sent to this number on WhatsApp.
4. The matter was passed-over and in the post-lunch session, learned counsel for Defendant No 7 states that upon re-verification it is observed that currently the Mob. No. +91 8105195240 is not available on WhatsApp.
 - 4.1. She states that while this number (Mob. No. +91 8105195240) has not been blocked by Defendant No. 7 in pursuance to the orders passed in these proceedings, it may have been deactivated by the user of said number or this number would have been reported.
 - 4.2. She states that in case the number has been reported (in separate



proceedings) and has been consequently deactivated by Defendant No. 7, further details (to this effect) will be placed on record.

5. Learned counsel for the Plaintiff states that this mobile number (Mob. No. +91 8105195240) was identified by the Plaintiff on the basis of an e-mail dated 20.07.2024, received from a customer, and therefore, the inclusion of this number in the plaint was justified.

6. This Court has perused the e-mail dated 20.07.2024 and finds that the Mob. No. +91 8105195240 has been specifically referred to by the customer of the Plaintiff in the said email. Therefore, the injunction order dated 29.08.2024 passed by the Court had sufficient basis.

7. In the considered opinion of this Court, Defendant No. 7 ought to have complied with the order dated 29.08.2024 in the first instance itself and it could not have taken it upon itself to not give effect to the said order. In case, of any dispute it was for the user of Mob. No. +91 8105195240 to approach the Court.

8. Defendant No. 7 is directed to ensure that the order dated 29.08.2024 is complied with and this number (Mob. No. +91 8105195240) is not permitted to be activated on the WhatsApp account.

9. Learned counsel for Defendant No. 7 has handed over two screenshots showing that mobile numbers +91 8105195240 and +91- 70928 05097 are not on WhatsApp currently.

The screenshots and the statement of Defendant No. 7 is taken on record.

10. Learned counsel for the Plaintiff states that Plaintiff has no independent means of verifying whether mobile numbers +91 8105195240 and +91 7092805097 are not available on WhatsApp, however they are



willing to accept the submission of Defendant No. 7 in this regard.

11. Subject to Defendant No. 7 filing of affidavit of compliance with respect to Mob. No. +91 8105195240 including the details directed at paragraph 4.2, the application stands disposed of.

I.A. 40610/2024 (Application under Order XI Rule 1, 3 and 5 of the CPC)

12. The present application has been filed by the Plaintiff under Order XI Rules 1, 3 and 5 of the CPC seeking discovery and production of documents by the Defendant Nos. 3, 4, 5, 6 and 7.

Defendant No. 7

13. Learned counsel for Plaintiff states that Basic Subscriber Information ('BIS') information of the WhatsApp account of the impugned mobile numbers as provided by Defendant No. 7, is 'NIL'.

14. Learned counsel for Defendant No. 7 states that usually BSI information would include phone number, name, device info, App version, Start date/time, connection status, last connection date/time/Last known IP, E-mail address, Web client data.

14.1. She states that she will take instructions if this information qua numbers mentioned in para '4' of the captioned application is available with Defendant No. 7 and provide the same to the Plaintiff within three (3) weeks.

Defendant No. 3

15. Learned counsel for the Plaintiff states that Defendant No. 3 has not complied with the order dated 16.10.2024 more specifically directions mentioned at para '5' of the said order.

15.1. She states that though DoT has blocked the impugned websites, the



concerned Domain Name Registrar (DNR)/Defendant No. 3 has not provided the BSI details and therefore, the Plaintiff is unable to prosecute its suit further.

15.2. She relies upon the directions issued by Co-ordinate Bench in CS(COMM.) 135/2022 (Order dated 10.02.2023 at para 8) and CS(COMM.) 567/2022 (Order dated 09.11.2022 at para 11).

16. This Court has been informed that the issue of non-compliance of **DNRs** located outside India is also pending consideration in CS(COMM.) 135/2022 and the judgment has been reserved.

17. The issue with respect to issuing appropriate directions against Defendant No. 3 for non-compliance shall be taken up for consideration after perusing the judgment in CS (COMM) 135/2022.

18. Defendant No. 4 has already supplied the requisite information to the Plaintiff.

19. List on **12.01.2026**.

I.A. 46497/2024(Application under Order I Rule 10(2) on behalf of Defendant No.2 seeking deletion from the array of parties)

20. The present application has been filed by Defendant No. 2 seeking deletion from array of parties.

21. Learned counsel for Defendant No. 2 states that the sole basis for impleading Defendant No. 2 in this suit is an SMS placed on record by the Plaintiff at page 429 of the Plaintiffs document.

21.1. He states that the said the said SMS has no connection with Defendant No. 2.

21.2. He states in fact Defendant No. 2 has itself approached the police for seeking investigation into SMS which allegedly refers to Defendant No. 2.



22. He states that Defendant No. 2 is not concerned with the cause of action pleaded in the plaint.

23. He further states that the Defendant No.2 may be deleted from the array of parties at this stage and the Plaintiff may be granted liberty to implead Defendant No. 2 if any subsequent material comes on record through Defendant No. 3 or DoT against the Defendant No.2.

24. Learned counsel for the Plaintiff states that she reserves her right to implead Defendant No. 2 afresh in case further information implicating him comes on record.

24.1. She states that she also seeks liberty to approach police to follow up on the action taken by police on the complaints filed by Defendant No. 2.

25. The submissions of Plaintiff and Defendant No. 2 are taken on record.

26. Relying upon the submissions made by Defendant No. 2 in this application, Defendant No. 2 is deleted from the array of the parties.

27. The right of the Plaintiff to seek impleadment of Defendant No. 2 in the suit is reserved, in case any material document or information is brought to the attention of the Plaintiff and the Court vis-à-vis the involvement of Defendant No. 2.

28. The Plaintiff is at liberty to approach police for seeking follow up report on the complaint lodged by Defendant No. 2.

29. With the aforesaid directions, the application stands disposed of.

CS(COMM) 734/2024

30. The written statement of Defendant No. 4 available at pdf page no. 372 is taken on record, with the consent of the Plaintiff.

31. Learned counsel for Defendant No. 4 states that in view of the statement made by Defendant No. 4 at paragraph '15' of its written



statement and its reply filed to I.A. 40610/2024, on its oral request Defendant No. 4 may be deleted from the array of parties recording that it has complied with the order dated 29.08.2024. The relevant paragraph 15 of the written statement and the relevant paragraph of reply to I.A. 40610/2024 reads as under: -

“Relevant Para of written statement of the Defendant No.4

15. In the present case, the website at the impugned domain name, i.e., <https://www.saint-louiu.com/louis/login>, is no longer accessible and has already been removed by Defendant No. 3. As such, no further orders are necessary against Google Search, as the impugned website has already been organically de-indexed from the search results. The WHOIS details of the impugned domain name are also attached to the present written statement.”

“Reply of the Defendant No.4 to I.A. 40610/2024

3. At the outset, it is submitted that the Plaintiff has not placed on record any advertisement of the Defendant No. 1 to show that the Defendant No. 1 has participated in or bid on any keyword on the Google Ads program. As such, the prayer for disclosure of such information by the Plaintiff is without any basis and is a fishing and roving enquiry, which ought to be dismissed at the threshold.

4. Without prejudice to the foregoing, it is submitted that for information related to a Google Ads account, the Plaintiff must provide the Answering Defendant with a valid identifier, such as the Google Ads customer ID or user email address. Alternatively, in case of any specific advertisement of the Defendant No. 1 on the Google Ads program, the Plaintiff can provide (a) the range of dates on which the advertisement was supposedly active and (b) the tracking URL of the specific ad. The ad’s tracking URL can be accessed by the Plaintiff by right 2 clicking on the ad headline and selecting “copy link location”, “copy link address”, or “copy link”.

5. In the absence of the above-mentioned valid identifiers, it is submitted that the Answering Defendant therefore is not in a position to determine whether the information as requested by the Plaintiff in the present application is even available in the Answering Defendant’s records. In the present circumstances, the Plaintiff’s prayer for production of documents by the Answering Defendant is untenable.”



32. In reply, learned counsel for the Plaintiff states that the Plaintiff reserves its right to seek further information from Defendant No. 4 in the event, it finds particulars as enlisted by Defendant No. 4 in its paragraph '4' of reply to I.A. 40610/2024.

32.1. She states however, she has no grievance with respect to the submissions made by this Defendant No.4 in the written statement. She states Defendant No. 4 be deleted from array of parties.

33. In view of the submissions of Defendant No. 4 and the Plaintiff, Defendant No. 4 is deleted from the array of parties. However, liberty is reserved to the Plaintiff to seek further information from Defendant No. 4 as and when required in terms of Defendant No. 4's reply filed to I.A. 40610/2024.

34. Amended memo of parties be filed by the Plaintiff within two (2) weeks.

35. List on **12.01.2026**.

MANMEET PRITAM SINGH ARORA, J

AUGUST 11, 2025/mt