



\$~37

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

+ **CS(COMM) 824/2023**

GET OUT SYSTEMS PRIVATE LIMITED & ANR. Plaintiffs

Through: Mr. J. Sai Deepak, Mr. Cheitanya
Madan, Ms. Srishti Banerjee,
Ms. Arpita Bishnoi, Mr. R.
Vigneshwar, Advocates.

versus

MR RAJEEV MALHOTRA & ORS.

..... Defendants

Through: Mr. Vaibhav Gaggar, Mr. Vidur
Mohan, Ms. Saloni Gupta, Ms. Kokila
Kumar, Ms. Shefali Mende and
Mr. Dhruv Mehta, Advocates for D-1.
Mr. Aaditya Vijay Kumar, Advocate
for D-2 to 4.
Ms. Surabhi Pande, Ms. Savni D.
Endlaw and Ms. R. Ramya,
Advocates for D-5.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **08.02.2024**

I.A. 3099/2024 (on behalf of the Plaintiffs seeking directions)

1. AWS Account No. 761404316429 (“**AWS Account**”) is the subject matter of the Court order dated 10th November, 2023 (along with subsequent orders), whereby Defendant No. 5 (Amazon Web Services India Pvt. Ltd.) was directed to restrict access to the AWS Account. However, Defendant No. 5 had not done so, stating that the system requires someone to be reflected as the administrative contact on the AWS Account. Therefore, this



Court vested control of the AWS Account with the Mediator *vide* order dated 23rd November, 2023, so that Defendant No. 5's technical requirements were fulfilled. However, despite this, and despite clearance of all dues, Defendant No. 5 sent a mail stating that the AWS Account, which housed Plaintiff's intellectual property, has been closed.

2. The Applicant submits that though this account was reactivated by Defendant No. 5 after the service of the instant application, it is concerning to note that account was deactivated without the permission of the Court in the first place.

3. Since the account has been reactivated, the first prayer sought in the application is rendered infructuous. The other prayers seek directions to Defendant No. 5, restraining them from taking any further action regarding the closure of the account. Considering the facts noted above, the Court is inclined to get into the bottom of things to discern the reason that led to deactivation of the account, without the permission of the Court.

4. Accordingly, Defendant No. 5 is directed to file a detailed affidavit explaining the circumstances commencing from 10th November, 2023, i.e., date of the first order in this suit, till the stage of reactivation. Additionally, Defendant No. 5 shall in the affidavit disclose the activity logs pertaining to the period the account remained deactivated. Such details would include:

- a. Cloud Trail Logs with IP address and location.
- b. All active users and actions performed.
- c. Details of the any outstanding dues towards the AWS Account of the Plaintiff company (if any).
- d. Cloud watch and RDS logs for the services that were active on the account.



e. CloudTrail Lake and Event logs, server logs, system logs (or syslog's), Web logs.

5. It is made clear that Defendant No. 5 shall henceforth refrain from taking any steps to deactivate the account without the permission of the Court.

6. With the above directions, list on the date fixed i.e. on 20th February, 2024.

SANJEEV NARULA, J

FEBRUARY 8, 2024

nk