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

I.A. 41611-41612/2024

IN

+ CS(COMM) 676/2023

JAINEMO PRIVATE LIMITED

.....Plaintiff

Through: Mr Karan Bajaj and Ms Aastha Arora,
Advocates.

versus

RAHUL SHAH AND OTHERS

.....Defendants

Through: Mr Tejas Karia, Mr Swati Agarwal,
Mr Mohit Singh, Mr Vaarish K Sawlani,
Advocate for D-19.
Mr Sauhard Alung, Advocate for D-20.
Ms Nikita Rathi, Mr Mrinal Ojha,
Mr Debarshi Dutta, Advocates for D-28.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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16.10.2024

I.A. 41611/2024 (u/O I Rule 10 CPC)

1. This application has been filed under Order I Rule 10 of the Code of Civil Procedure, 1908 (CPC) seeking impleadment of new entities as Defendants no.31 to 46 in the present suit.
2. Mr Karan Bajaj, counsel appearing on behalf of the Plaintiff submits that the proposed Defendant Nos. 33 to 45 are jointly or severally or in the alternative involved in the illegal acts of infringing the copyright of the Plaintiff in its course material.
3. The proposed Defendant Nos. 31, 32, 42, 43 and 44 are sought to be impleaded as their platform(s) are being used to share infringing materials.



4. To be noted, the proposed Defendant Nos. 31 and 32 are actually one entity *i.e.*, Meta Platforms Inc.

5. In respect of proposed Defendant Nos. 33 to 41, who are alleged infringers, the plaintiff does not have any details of these entities.

5.1 Mr Bajaj submits that the same can be provided by the proposed Defendant Nos. 31 and 32 *i.e.*, Meta Platforms Inc.

6. Proposed Defendant No. 46 is a Domain Name Registrar in respect of proposed Defendant No. 42 and has been impleaded so as to provide contact details of proposed Defendant No. 42.

7. Issue Notice.

8. Notice is accepted by the counsel appearing on behalf of Defendant Nos. 19, 20 and 28, who do not oppose the said application.

9. Mr Bajaj submits that the Plaintiff is seeking urgent *ad-interim* directions against the aforesaid proposed Defendants and therefore, seeks exemption from issuance of notice to the proposed Defendants as it would defeat the purpose.

10. In the application, Plaintiff has given the details of infringing activities being carried out by the proposed Defendant Nos. 33 to 45.

11. In my view, the impleadment of all the aforesaid entities would be necessary in order to enable the Court to effectually and completely adjudicate the present suit.

12. Accordingly, the application is allowed and the proposed Defendants are impleaded as defendants in the present suit.

13. The application is disposed of accordingly.

CS(COMM) 676/2023

14. Amended memo of parties be filed within two (2) days.



15. In view of the order passed above, let the amended plaint be filed by the Plaintiff within ten (10) days.

16. Renotify on 5th November, 2024.

I.A. 41612/2024 (u/Order XXXIX Rules 1 and 2 CPC)

17. Learned counsel for the Plaintiff seeks liberty to withdraw the present application with liberty to file a fresh application seeking interim relief.

18. The present application is accordingly dismissed as withdrawn, with the aforesaid liberty.

AMIT BANSAL, J

OCTOBER 16, 2024/PB