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

+ **CS(COMM) 1185/2024**

RELIANCE RETAIL LIMITED

.....Plaintiff

Through: Mr. Sidharth Chopra, Mr. Yatinder Garg, Ms. Disha Sharma and Ms. Srishti Dhoundiyal, Advs.

versus

RILBUSINESS.IN & ORS.

.....Defendants

Through: Mr. Shashank Mishra, Mr. Mohit Singh, Mr. Vaarish Sawlani and Ms. Rithika Mathur, Advs. for D-11/ Whatsapp.

Mr. Sanjay Kumar, Mr. Abhishek Kumar Singh, Mr. Saurabh Kumar and Ms. Rose Maria Sebi, Advs. for D-13/ LinkedIn.

Mr. Parth Rishik, Advocate for D-20/ RJIL.

Mr. Nishant Gautam, CGSC with Mr. Vardhman Kaushik, Mr. Vipul Verma and Mr. Prithviraj, Advs. for D-22 and D-23.

Mr. Neel Mason, Ms. Ekta Sharma, Ms. Pragya Jain and Ms. Surabhi Katare, Advs. for D-25/ Google.

Mr. Deepak Gogia and Mr. Aadhar Nautiyal, Advs. for D-26.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

09.04.2025

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I.A. 9398/2025 (*Order XXXIX Rule 4 of the CPC*)

1. *Vide* the present application under *Order XXXIX Rule 4* read with *Section 151* of the Code of Civil Procedure, 1908 (**CPC**), the defendant



no.11 seeks the following reliefs:

“a. Vacate, set aside, or modify the Ex-Parte Interim Order dated December 23, 2024, passed by this Hon'ble Court in I.A. No. 49530 of 2024 in C.S. (COMM) 734 of 2024 to only require WhatsApp to:

i. action the 9 WhatsApp accounts associated with the phone numbers +91 7283065686; +91 9831785390; +91 9948140147; +91 9492654330; +91 8981373538; +91 7044845243; +91 6291573788; +91 9038985852; and + 91 9141222288; and

ii. produce available BSI of the 8 WhatsApp accounts associated with the phone numbers +91 7283065686; +91 9831785390; +91 9948140147; +91 9492654330; +91 8981373538; +91 6291573788; +91 9038985852; and + 91 9141222288 in a sealed cover, along with a copy to the Plaintiff.

b. At minimum, relieve WhatsApp of any responsibility or liability for any alleged non-compliance with the Ex-Parte Interim Order pending a decision by this Hon'ble Court on the merits of this Application.”

2. Issue notice.

3. Learned counsel for the plaintiff, accepts notice.

4. Primarily, the case of defendant no.11 is that no action can be taken by defendant no.11 in terms of the order dated 23.12.2024, since three numbers being +91 8320959080; +91 9136400564; and 0(800)1234567 are not on WhatsApp.

5. Learned counsel for the plaintiff, at the outset, fairly submits that since these three numbers were not forming part of the record before this Court while passing of the order dated 23.12.2024 by this Court. As such, he submits that there is nothing qua them recorded in the said order.



6. Accordingly, in view of the submissions made by the learned counsel for the plaintiff, it is clarified that no such directions were passed qua the aforesaid numbers being +91 8320959080; +91 9136400564; and 0(800)1234567.

7. In view of above, the present application is disposed of in the aforesaid terms.

SAURABH BANERJEE, J.

APRIL 9, 2025/R