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

+ **CS(COMM) 1352/2025 & I.A. 31587-31590/2025**

HELL ENERGY MAGYARORSZAG KFT. & ANR.

.....Plaintiffs

Through: Mr. Nihit Nagpal, Adv. (through VC)

versus

META PLATFORMS INC. & ANR.

.....Defendants

Through: Mr. Varun Pathak, Advocate for
Defendant No.1 (Through VC)

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **18.12.2025**

I.A. 31590/2025(seeking exemption from pre-institution mediation)

1. This is an application filed under Section 12A of the Commercial Courts Act, 2015 [‘Act of 2015’], read with Section 151 of the Code of Civil Procedure, 1908, [‘CPC’], seeking exemption from instituting pre-litigation mediation.

2. Having regard to the fact that the present suit contemplates urgent interim relief, and in light of the judgment of the Supreme Court in **Yamini Manohar v. T.K.D. Keerthi**¹, exemption from the requirement of pre-institution mediation is granted to the plaintiff.

3. Accordingly, the application stands disposed of.

I.A. 31589/2025 (application under section 63(4)(c) of the Bharatiya Sakshya Adhinyam, 2023)

¹ (2024) 5 SCC 815



4. This is an application filed under Section 151 of the CPC, seeking time for filing the required certificate under Section 63(4)(c) of the Bharatiya Sakshya Adhiniyam, 2023.

5. For the reasons stated in the application, the application is allowed, and the required certificate under section 63(4)(c) of the Bharatiya Sakshya Adhiniyam, 2023 be filed within four [4] weeks, failing which the plaintiff will not be entitled to rely upon the said documents.

6. This application is disposed of.

I.A. 31588/2025(seeking leave to file additional documents)

7. This is an application filed under Order XI Rule 1(4) of the Act of 2015, read with Section 151 of CPC, seeking leave to file additional documents within thirty [30] days.

8. The plaintiff, if it wishes to file additional documents, shall file the same within thirty [30] days from today, and it shall do so strictly as per the provisions of the Commercial Courts Act and the Delhi High Court (Original Side) Rules, 2018 ['DHC Rules'], failing which the liberty granted shall stand foreclosed.

9. For the reasons stated in the application, the same is allowed.

10. Accordingly, the application is disposed of.

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11. Let the plaint be registered as a suit. Defendant No. 1 is an intermediary and defendant no. 2 are John Does entities.

12. Mr. Varun Pathak, Advocate, has entered appearance on behalf of defendant no. 1.

12.1. He states that the infringing URLs have been enlisted at paragraph



nos. 50, 54, and 63 of the plaint.

12.2. He states that the Basic Subscriber Information [‘BSI’] details and IP logs of the users pertaining to these URLs will be provided to the plaintiff within a period of two [2] weeks.

13. It is directed that upon receiving the BSI details and IP logs, the plaintiff shall file an amended memo of parties, whereupon summons shall be issued to the said users [who are currently identified as John Does], including service of summons through the DM facility on the platform of defendant no. 1.

14. After the amended memo of parties has been filed, summons be issued to the newly impleaded defendants by all permissible modes on filing of the process fee. Affidavit of service(s) be filed within two [2] weeks.

15. The summons shall indicate that the written statement(s) must be filed within thirty [30] days from the date of receipt of the summons. The defendants shall also file affidavit(s) of admission/denial of the documents filed by the plaintiff, failing which the written statement(s) shall not be taken on record.

16. The plaintiff is at liberty to file replication(s) thereto within thirty [30] days after filing of the written statement(s). The replication(s) shall be accompanied by affidavit(s) of admission/denial in respect of the documents filed by the defendants, failing which the replication(s) shall not be taken on record.

17. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

18. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.



19. No summons is being issued to defendant no. 1 since it is a proforma defendant.

20. List before the Court on **29.01.2026**.

I.A. 31587/2025(application under Order XXXIX Rules 1 and 2 CPC)

21. Issue notice.

22. Learned counsel for defendant no. 1 accepts notice.

23. Learned counsel for the plaintiff states that it had addressed a letter to the grievance officer of the defendant no. 1 on 01.09.2025, and in pursuance thereof, six [6] URLs had been taken down; however, six [6] URLs continue to remain visible/available.

23.1. He states that, additionally, two [2] more URLs have been identified in the plaint.

24. Learned counsel for defendant no. 1 states that he will file his reply within four [4] weeks.

25. After the amended memo of parties has been filed, issue notice to the newly impleaded defendants.

26. Let the reply to this application be filed within a period of four [4] weeks, from receipt of notice.

27. Rejoinder thereto, if any, be filed within a period of four [4] weeks thereafter.

28. List the matter before the Court on **29.01.2026**.

MANMEET PRITAM SINGH ARORA, J
DECEMBER 18, 2025/mt/aa