

**BY EMAIL & DoT website**

**Government of India  
Ministry of Communications  
Department of Telecommunications  
Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110 001  
(Data Services Cell)**

**No. 813-07/LM-27/2022-DS-II**

**Dated:16-12-2024**

**To,**

**All Internet Service Licensees'**

**Subject: CS Comm No. 447 of 2022; Havells India Ltd. & Anr V/s Ashok Kumar/John Doe & Ors. before Hon'ble Delhi High Court**

Kindly find the enclosed Hon'ble Delhi High Court order dated **31.05.2024** on the subject matter.

(ii) Please refer to the **para 10** of the said court order in respect of blocking of **website** enumerated in **para 1** of the aforesaid court order.

(iii) In view of the above, all the Internet Service licensees are hereby instructed to take immediate necessary action for blocking of the said website, as above, for compliance of the said court order.

Digitally signed by

Shashi Kumar

Date: 16-12-2024 09:59:54

**Dir (DS-II)**

**Email: dirds2-dot@nic.in**

Encl:A/A

**Copy to:**

- i. Sh. V.Chinnasamy, Scientist E (chinnasamy.v@meity.gov.in), Electronics Niketan, Ministry of Electronics and Information Technology (MeitY) New Delhi for kind information and with request to take action as per **Annexure**.
- ii. Mr. Rakesh kumar (rakeshkumarcgsc@gmail.com), learned Central Government Standing Counsel for kind information.
- iii. Mr. Kunal Vats, (kunal@singhandsingh.com) Plaintiff Advocate for kind information.[ Take action as per Annexure.]

iv. IT wing of DoT for uploading on DoT website.



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

+ **CS(COMM) 447/2022 & I.A. 31635/2024**

**HAVELLS INDIA LTD & ANR. .... Plaintiffs**

Through: **Mr. Sudeep Chatterjee, Mr. Kunal Vats & Mr. Sanyam Suri, Advs.**

versus

**ASHOK KUMAR/ JOHN DOE & ORS. .... Defendants**

Through: **Ms. Shweta Sahu, Adv. for D-3.  
Mr. Neel Mason, Mr. Vihan Dang,  
Ms. Pragya Jain, Mr. Ujjawal  
Bhargava and Mr. Aditya Mathur,  
Advs. for D-10.  
Mr. Rakesh Kumar, CGSC with Mr.  
Sunil, Adv. for D-11 & 12.**

**CORAM:  
HON'BLE MR. JUSTICE ANISH DAYAL**

**ORDER  
31.05.2024**

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**I.A. 31635/2024**

1. This application has been filed under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 by the plaintiff seeking extension of the directions passed in the order dated 06<sup>th</sup> July, 2022 and 03<sup>rd</sup> April, 2024 to a new domain [www.havellsdealership.in](http://www.havellsdealership.in) which was discovered by the plaintiff and is indulging in selling fake and non-existent dealerships of the plaintiff. This aspect had been dealt with in the order passed on 06<sup>th</sup> July, 2022, where directions were passed in para 8 of the said order, which is as



under:

8. In view of the above, by way of an ad interim order, it is directed as under: -

- i. The Defendant Nos.1 and 2 are restrained from using in any manner, directly or indirectly, the Plaintiffs registered trademarks i.e., HAVELLS, LLOYD and/ or any other identical/ deceptively similar mark in respect to domain names havellsfranchise.com, franchiseinfo.in, havellsfranchisee.com, havellsfranchise.co.in, havellsdealership.com, havells-distributorship.live, havellsdealershipapply.in as also the list of domains listed by the Plaintiffs at Page 322 of the List of Documents or otherwise amounting to trademark and copyright infringement, and misappropriation of the Plaintiffs registered trademarks;
- ii. The Defendant Nos. 3 to 9 and 13 shall immediately block the domain name havellsfranchise.com, franchiseinfo.in, havellsfranchisee.com, havellsfranchise.co.in, havellsdealership.com, havells-distributorship.live, havellsdealershipapply.in as also the list of domains filed by the Plaintiffs at Page 322 of the List of Documents;
- iii. The Defendant Nos. 11 and 12 i.e. DoT and MeitY shall immediately issue directions to all ISPs to block the said websites as also any other website that may subsequently be



- notified by the Plaintiff (on Affidavits) to be infringing of its exclusive rights, unless the Defendant No. 11 and 12 are of the opinion that such other websites do not infringe the intellectual property rights of the Plaintiffs;
- iv. The Defendant Nos. 3 to 9 and 13 shall also disclose to the Ld. Counsel for the Plaintiff and file an affidavit before this Court as to the details of the registrants or the persons who have registered the abovementioned domains along with their complete contact details, postal address, email address, bank account details and telephone numbers etc. Let the said affidavit be filed within one week from the receipt of the copy of this order. Upon receipt of this order, the Defendant Nos. 3 to 9 and 13 shall communicate immediately the order to the registrants of the infringing domain names.
- v. The registrants of the infringing domains havellsfranchise.com, franchiseinfo.in Havellsfranchisee.com, havellsfranchise.co.in, havellsdealership.com, havells-distributorship.live, havellsdealershipapply.in as also the list of domains listed by the Plaintiffs at Page 322 of the List of Documents shall cease all use of the domain names and pull down the websites hosted on the said domain names with immediate effect. The email address reflected on the said website as also [support@havellsfranchisee.com](mailto:support@havellsfranchisee.com) and [support@havellsfranchise.com](mailto:support@havellsfranchise.com), shall also be de-activated.
- vi. The Internet and Telecom Service Providers on intimation of this order by the Plaintiff shall give effect to the same



immediately.

- vii. Upon the disclosure of the names of the registrants of the domain names, the Plaintiff is permitted to implead them as the Defendants in the present suit. In case the Plaintiff comes across any other domain names or websites with the mark 'HAVELLS' and 'LLOYD', they are permitted to approach the Court with an application for appropriate relief, including seeking extension of the present injunction to the said domain names or websites as well.
- viii. The Defendant No. 10 shall restrain from making available the mark HAVELLS and/or LLOYD or any other deceptively similar variation thereof in their Google Ads Programme.
- ix. The Defendants Nos.14 to 16 shall immediately freeze the bank accounts as given in Paragraph 49 of this application as also provide complete disclosure of the KYC details of the accounts on affidavit in a sealed cover.
- x. Defendant Nos.17 and 18 are directed to provide complete disclosure of the KYC details and deactivate the numbers 967476675, 7044103139, 9163705518, 987495665, 9163603596 used by the imposters. The KYC details be provided on affidavit in a sealed cover.

2. Subsequently, this order was made absolute on 03<sup>rd</sup> April, 2024. The plaintiff had been given the right to seek extension of the directions by this Court with respect to these rogue websites and, therefore, this application has been moved.

3. Accordingly, the application is allowed.

4. Defendant No.3 which is the Domain Name Registrar of the said domain is represented through counsel who appears through VC and states that they shall lock and suspend the said domain.

5. Further, as regards the disclosure of the details of the registrants,



counsel states that they shall furnish the details within the next within the next two weeks to the counsel for the plaintiff.

6. It is directed accordingly.

7. Counsel for the plaintiff has also pressed for their prayers under Para C and D of the application for directions to defendant No.3 to adhere to the Registrar Accreditation Agreement and other policies formulated by ICANN. Counsel for defendant No.3 states that they do adhere and there is no issue in that regard.

8. Defendant No.3 shall file an affidavit placing on record their details of the procedure they follow for verifying their KYC details of the registrants of these domain names. This is in context of the fact that Whois details of the domain mentioned in this application as a registrant contact detail as “Havells India Limited” and, therefore, using the name of the plaintiff, as is evident from the screenshot below:



Document C



havellsdealership.in

Updated 2 days ago

### Domain Information

Domain:	havellsdealership.in
Registrar:	GoDaddy.com, LLC
Registered On:	2024-02-05
Expires On:	2025-02-05
Updated On:	2024-02-10
Status:	clientUpdateProhibited clientTransferProhibited clientRenewProhibited clientDeleteProhibited
Name Servers:	ns50.domaincontrol.com ns49.domaincontrol.com

### Registrant Contact

Organization:	Havells India Limited
State:	Delhi
Country:	IN
Email:	Please contact the Registrar listed above

### Administrative Contact

Email:	Please contact the Registrar listed above
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### Technical Contact

Email:	Please contact the Registrar listed above
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9. The affidavit will be filed within the next six weeks with copies to the opposing side.
10. Defendant No.11 is also directed to issue instructions to the ISPs for blocking access to this domain name.
11. Application is disposed of.

**ANISH DAYAL, J**

**MAY 31, 2024/MK**



**IN THE HIGH COURT OF DELHI AT NEW DELHI**  
*(Ordinary Commercial Jurisdiction)*

**I.A NO. OF 2023**

**IN**

**CS (COMM) NO. 447 OF 2022**

**NDOH: 05.07.2023 (before JR)**

IN THE MATTER OF:

Havells India Ltd & Anr.

...Plaintiffs

Versus

Ashok Kumar/ John Doe & Ors.

...Defendants

**NOTICE OF MOTION**

To,

1. **CPUTEK PRIVATE LIMITED**  
Through its Directors,  
80, Silpara Road,  
Vidyasagar Sarani Purba Barisha,  
Kolkata, West Bengal – 700008  
Email: [connect.fintax@gmail.com](mailto:connect.fintax@gmail.com), [info@cputek.in](mailto:info@cputek.in)  
Ph: 8013920772, 9674766475
2. **GODADDY.COM, LLC,**  
2155 East GoDaddy Way,  
Tempe, AZ 85284,  
United States of America  
Email: [HQ@godaddy.com](mailto:HQ@godaddy.com)  
Ph.: 040-67607600
3. **HOSTING CONCEPTS B.V. D/B/A**  
**OPENPROVIDER**  
Willem Buytewechstraat 40 Rotterdam,  
ZH 3024 BN, Netherlands  
Email: [shiwale@openprovider.nl](mailto:shiwale@openprovider.nl)

Ph.: 1-703-948-3200

Also at:

3rd floor, Prudential Building Prudential IT Park,  
Central Avenue Powai Mumbai City  
Maharashtra 400076

4. NAMECHEAP, INC  
600 East Washington Street,  
Suite 305  
Phoenix, Arizona 85034,  
USA  
Email: [support@namecheap.com](mailto:support@namecheap.com)  
Ph.: (661) 3102107
5. DREAMSCAPE NETWORKS  
INTERNATIONAL PVT. LTD.,  
3, Irving Road #09-01  
Singapore 369522  
Email: [legal@dreamscapenetworks.com](mailto:legal@dreamscapenetworks.com)  
Ph.: +65 69147880
6. HOSTINGER INTERNATIONAL, LTD  
Jonavos G. 60C,  
Kaunas, Kaunas County  
Lithuania  
Email: [abuse@hostinger.com](mailto:abuse@hostinger.com)  
Ph.: +37064503378
7. DOMAIN BY PROXY  
2150 East. Warner Rd.  
Tempe, AZ 85284,  
United States of America  
Email: [courtdisputes@godaddy.com](mailto:courtdisputes@godaddy.com)  
Ph.: (480) 624-2546

8. PRIVATE REGISTRY AUTHORITY  
Suite 200, Executive Tower.  
11400 West Olympic Boulevard, Los Angeles CA  
United States of America  
Email: [info@privateregistryauthority.com](mailto:info@privateregistryauthority.com)  
Ph.: +1 213 5592459
  
9. GOOGLE LLC  
1600, Amphitheatre Parkway,  
Mountain View, CA 94043,  
United States of America,  
Email: [support-in@google.com](mailto:support-in@google.com)  
Ph: (650) 253-0000
  
10. DEPARTMENT OF TELECOMMUNICATION,  
Through Secretary, Ministry of Communications and  
IT,  
20, Sanchar Bhawan Ashoka Road,  
New Delhi – 110001  
Email: [secy-dot@nic.in](mailto:secy-dot@nic.in), [dirds2-dot@nic.in](mailto:dirds2-dot@nic.in)
  
11. MINISTRY OF ELECTRONICS  
AND INFORMATION TECHNOLOGY  
Through the Director General (DIT) Cyber Laws & e-  
security),  
Electronics Niketan, 6, CGO Complex,  
Lodi Road, New Delhi-110003  
E-mail IDs: [cyberlaw@meity.gov.in](mailto:cyberlaw@meity.gov.in) ,  
[gccyberlaws@meity.gov.in](mailto:gccyberlaws@meity.gov.in), [pkumar@meity.gov.in](mailto:pkumar@meity.gov.in),  
[sathya.s@meity.gov.in](mailto:sathya.s@meity.gov.in); [webmaster@meity.gov.in](mailto:webmaster@meity.gov.in)
  
12. NATIONAL INTERNET EXCHANGE OF INDIA  
9th Floor, B-Wing,  
Statesman House,  
148, Barakhamba Road,  
New Delhi-110 001 India

Email: [customercare@nixi.in](mailto:customercare@nixi.in)

13. UCO BANK  
Head Office  
No 5, Sansad Marg,  
Pandit Pant Marg Area, Sansad Marg Area,  
New Delhi, Delhi 110001  
Email: [parlia@ucobank.co.in](mailto:parlia@ucobank.co.in)  
Ph.: 18001030123
  
14. IDBI BANK LTD.  
IDBI Bank Ltd. IDBI Tower, WTC Complex,  
Cuffe Parade, Colaba, Mumbai 400005.  
Email: [cmd@idbi.co.in](mailto:cmd@idbi.co.in)  
Ph.: 022-22185320
  
15. CANARA BANK No.38, Ansal Towers,  
Nehru Place, Delhi 110019  
E-mail: [vigilancewing@canarabank.com](mailto:vigilancewing@canarabank.com)  
Ph.: 080-22127266
  
16. BHARTI AIRTEL LTD.  
Airtel Centre, Tower-A,  
6<sup>th</sup> Floor 'A' Wing, Plot No.16,  
Udyog Vihar, Ph-IV, Gurgaon-122016,  
E-Mail: [amit.bhatia@airtel.com](mailto:amit.bhatia@airtel.com)  
Ph; 9810879712
  
17. VODAFONE IDEA LIMITED  
House, Peninsula Corporate Park,  
Ganpatrao Kadam Marg, Lower Parel,  
Mumbai - 400 013 India

Also At:

Birla Centurion, 10th Floor,  
lot No.794, B Wing,

Pandurang Budhkar Marg, Worli,  
Mumbai – 400030, India  
E-mail IDs: [Smitha.Menon@vodafoneidea.com](mailto:Smitha.Menon@vodafoneidea.com);  
[pankaj.kapdeo@vodafoneidea.com](mailto:pankaj.kapdeo@vodafoneidea.com); and  
[Radhika.gokhale@vodafoneidea.com](mailto:Radhika.gokhale@vodafoneidea.com)  
Ph.: 095940 04000

Kindly take note that the accompanying application is being filed before the Hon'ble High Court of Delhi and the same is likely to be listed on 04.05.2023 or thereafter. Please take notice accordingly.



**SINGH & SINGH LAW FIRM LLP**  
SUDEEP CHATTERJEE  
(D/298/2005)  
Counsels for the Plaintiffs  
C-139, Defence Colony,

Date: 03.05.2023

**Annexure**

Subject: Action requested to be taken by MEITY and Plaintiff for effective removal of content for viewing by public at large within India as per the said orders of Hon'ble Court.

It is observed that a number of orders of Hon'ble Court are issued for blocking of websites every month. There are around more than 2700 ISPs in India and these ISPs are connected among themselves in a mesh network. DOT is instructing each of the ISPs through emails/through its website for blocking of the websites as ordered by the Hon'ble Courts. Ensuring compliance of the orders by each of the ISPs is a time-consuming and complex task especially in view of multiplicity of orders of Hon'ble Courts, multiplicity of websites to be blocked and multiplicity of ISPs.

2. Allocation of Business Rules inter-alia states thus:-

*'Policy matters relating to information technology; Electronics; and Internet (all matters other than licensing of Internet Service Provider).'*

3. In view of above and in order to ensure effective removal by content for viewing by public at large, the plaintiff is requested to do a trace route of the web server hosting the said website. In case the web server happens to be in India, the plaintiff may inform the same to Meity who may direct the owner of such web server to stop transmission of content as per IT Act and as directed by the Hon'ble Court so that the content would be blocked from the source itself and the exercise of blocking by 2700 ISPs would not be required.

4. In case such server is located abroad i.e. outside India then access to such URL/website can be blocked through the international internet gateways which are much less in number. This would result in timely and effectively removal of undesirable content for viewing by public at large as is the requirement as per the orders of Hon'ble Court.