

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-02/2024-DS-II

Dated: 18-02-2025

**To,
All the Internet Service Licensees**

**Subject: CS (Comm) 447 of 2022: Havells India Ltd & Anr. Vs. Ashok Kumar/
John Doe & Ors. before Hon'ble Delhi High Court.**

Kindly find enclosed the Hon'ble Delhi High Court order **dated 11.11.2024 and 06.07.2022** and **Affidavit dated 31.01.2025** on the subject matter.

2. Please refer to the **Para 13 of Court order dated 11.11.2024 and Para 8(iii) of the Court order dated 06.07.2022** in respect of blocking of websites enumerated in **Para '6' of Affidavit dated 31.01.2025**.

3. In view of the above, all the Internet Service Licensees are hereby instructed to take immediate necessary action for blocking of the said websites, as above, for compliance of the said court order.

Encl: AA

Digitally signed by
SHASHI KUMAR
Date: 18-02-2025
11:20:17

**Director (DS-II)
Email: dirds2-dot@nic.in**

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 requested for taking action as per Annexure.
- ii. Sh. Sanyam Suri < sanyam@singhandsingh.com > Plaintiff Advocate for kind information.[Requested to take action as per Annexure].
- iii. IT wing of DoT for uploading this order on DoT websites please.

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORIGINAL COMMERCIAL JURISDICTION)

CS (COMM) No. 447 of 2022

IN THE MATTER OF:

Havells India Ltd & Anr.

...Plaintiffs

Versus

Ashok Kumar/ John Doe & Ors.

...Defendants

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SINGH & SINGH LAW FIRM LLP
SUDEEP CHATTERJEE
(D/298/2005)

Counsel for the Plaintiffs
C-139, Defence Colony,
New Delhi – 110024

Date: 31.01.2025

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORIGINAL COMMERCIAL JURISDICTION)

CS (COMM) No. 447 of 2022

Havells India & Anr.

...Plaintiffs

Versus

Ashok Kumar & Ors.

...Defendants

AFFIDAVIT IN TERMS OF THE ORDERS DATED 06.07.2022,
13.12.2023 AND 03.04.2024 PASSED BY THE HON'BLE DELHI HIGH
COURT

We, Harsh Aggarwal, S/o Shri P.C. Aggarwal, aged about 46 years, and Roma Arora, D/o Shri Sushil Arora, aged about 43 years, having our office at 904, 9th Floor, Surya Kiran building, Kasturba Gandhi Marg, Connaught Place, New Delhi-110001, do solemnly affirm and declare as under:

1. We are the authorized representatives of the Plaintiffs being Havells India Ltd. and QRG Enterprises Ltd. in the suit i.e. CS (COMM) No. 447 of 2022, which is pending adjudication before the Hon'ble Delhi High Court. We are aware of the facts and circumstances of the said case, and thus, competent to depose the present affidavit.
2. We state that vide order dated 06.07.2022, the Hon'ble Delhi High Court was pleased to grant an *ad-interim* injunction in favour of the Plaintiffs and against the Defendants thereby, *inter alia*, restraining the Defendant No.1 and No.2 from using in any manner, the Plaintiffs' registered trademarks – HAVELLS and LLYOD in respect of fraudulent domain names/ websites. Further, the Defendant No.11 – Department of Telecommunication and Defendant No.12 – Ministry of Electronics and Information Technology, were directed to issue directions to all the Internet Service providers to block the said fraudulent websites in order to protect the general public from being defrauded. Copy of the order dated 06.07.2022 is attached herewith as **ATTACHMENT A**,
3. That in terms of Para 8 (iii) of the aforesaid order dated 06.07.2022, the Hon'ble Delhi High Court was further pleased to grant liberty to the Plaintiffs to notify Department of Telecommunication (arrayed as Defendant No. 11) and Ministry of Electronics and Information



Technology (arrayed as Defendant No.12) of any such new websites/instances of fraud which would come to the knowledge of the Plaintiffs, for their necessary compliance.

4. Thereafter, the Hon'ble Delhi High Court vide order dated 13.12.2023, passed a similar direction directing the Department of Telecommunication (arrayed as Defendant No. 11) and Ministry of Electronics and Information Technology (arrayed as Defendant No.12) to also block and suspend the phone numbers of the imposters/fraudsters which are being used to contact the general public for issuing fake/non-existent dealerships of the Plaintiffs company. Thus, it is warranted that in addition to the domain name/website, even the phone number be blocked. Copy of the order dated 13.12.2023 passed by the Hon'ble Court is attached herewith as **ATTACHMENT B.**

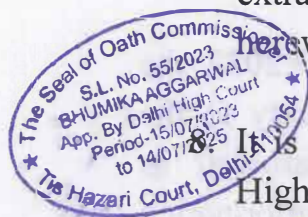
5. Further, vide order dated 03.04.2024, the Hon'ble Delhi High Court confirmed the aforementioned *ad-interim* injunction orders granted in favour of the Plaintiffs and against the Defendants thereby making the directions absolute during the pendency of this suit. Copy of the order dated 03.04.2024 passed by the Hon'ble Court is attached herewith as **ATTACHMENT C.**

6. Accordingly, it is submitted that the Plaintiffs have now learnt about yet another instance of fraud wherein, the name of the Plaintiffs i.e Havells is being used by an unknown person, with a motive to defraud the public. The details of the said fraud/website are given below and screen shot is attached herewith as **ATTACHMENT D:**

Name of the Website: - <https://hevelind.com/>

7. We state that as per the public information available on the website of 'WHOIS' i.e <https://www.whois.com/whois/>, the registrar for the aforementioned domain name is "GoDaddy.com, LLC". Information extracted from <https://www.whois.com/whois/hevelind.com> is attached herewith as **ATTACHMENT E.**

It is pertinent to submit that recently on 11.11.2024, the Hon'ble Delhi High court in this suit, while keeping into account public interest involved,



was pleased to direct Defendant No. 11 and No. 12 to initiate the above steps of blocking the rogue domain names expeditiously. Copy of order dated 11.11.2024 passed by the Hon'ble Court is attached herewith as ATTACHMENT F.

- 9. Accordingly, in terms of the orders dated 06.07.2022, 03.04.2024 & 11.11.2024 the present affidavit is being prepared for the Department of Telecommunication and Ministry of Electronics and Information Technology to immediately intimate all the concerned Internet Service Providers to block the above website/domain name.

[Signature]
 DEPONENT

VERIFICATION:

Verified at New Delhi on this 31st day of January 2025 that the contents of the above affidavit are true to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

[Signature]
 DEPONENT

I Identified the Deponent who has signed in my presence



31 JAN 2025

[Signature]
 DEPONENT

VERIFICATION:

Verified at New Delhi on this 31st day of January 2025 that the contents of the above affidavit are true to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

[Signature]
 01/7765/2021

... identified by Shri/Smt. ...
 as solemnly affirmed before me at Delh...
 of Sl. No. ...
 hat the contents of the affidavit which have
 een read & explained to me are true and
 rrect to his/her knowledge.

[Signature]
 DEPONENT

Oath Commissioner, Delhi
 New Delhi

31 JAN 2025



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

+ CS(COMM) 447/2022

HAVELLS INDIA LTD & ANR. Plaintiffs

Through: Mr.Sudeep Chatterjee, Mr.Kratraj Sadana & Ms.Shifa Nagar, Advs. with Mr.Harsh Agarwal & Ms.Roma Arora, Authorised Representative.

versus

ASHOK KUMAR/ JOHN DOE & ORS. Defendants

Through: Nemo.

CORAM:**HON'BLE MR. JUSTICE NAVIN CHAWLA****ORDER**% **06.07.2022****I.A. 10117/2022 (Exemption)**

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

I.A. 10118/2022

1. This is an application filed on behalf of the plaintiffs seeking to file additional documents.
2. The plaintiff may file the additional documents strictly in accordance with the law.
3. The application stands disposed of.

I.A. 10119/2022

1. This is an application filed on behalf of the plaintiff seeking exemption from service to the defendants.
2. For the reasons stated in the application, the same is allowed.
3. The application stands disposed of.

**I.A. 10120/2022**

1. This application has been filed seeking extension of time for filing of the court fee.
2. Having considered the application, the period to file the court fee is enlarged by a period of one week.

I.A. 10121/2022

1. This is an application filed by the plaintiff to seek permission to serve the defendants through electronic mode.
2. The application is allowed.

I.A. 10122/2022

1. This application has been filed seeking exemption from filing pre-institution mediation under Section 12A of the Commercial Courts Act, 2015.
2. Having perused the contents of the application, the same is allowed.

I.A. 10123/2022

1. This application has been filed seeking exemption from serving any notice as required under Section 80(1) of the CPC.
2. For the reasons stated in the application, the same is allowed.

CS(COMM) 447/2022

1. Let the plaint be registered as a suit.
2. Issue summons to the defendants to be served electronically, returnable on 1st September 2022.
3. The summons to the defendants shall indicate that the written statement to the plaint shall be positively filed within the prescribed period from the date of receipt of summons. Along with the written statement, the defendants shall also file the affidavit of admission/denial of the documents



of the plaintiff, without which the written statement shall not be taken on record.

4. Liberty is given to the plaintiff to file replication within a period of four weeks of the receipt of the written statement. Along with the replication, if any, filed by the plaintiff, the affidavit of admission/denial of documents of the defendants be filed by the plaintiff, without which the replication shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

I.A. 10116/2022

1. Issue notice to be served on the defendants electronically, returnable on 1st September 2022.

2. It is the case of the plaintiffs that the plaintiff no. 1 was incorporated in the year 1983 and is engaged in the electrical and power distribution equipment and consumer durables goods business. The plaintiff no. 2 is the owner of trademark Havells, for different categories of goods. The plaintiffs' products are sold under the trademark 'HAVELLS',

HAVELLS, , **STANDARD LLOYD** . The products can be accessed through their portal <https://www.havells.com/>.

3. The plaintiffs assert that it has a domestic presence across 45 cities in India and there are about 650 Havells Galaxies stores across the country. The plaintiffs also have a mobile application for customers to shop online through the Havells E-store. The plaintiffs' products are sold across the globe having a sale turnover of Rs. 10,427.92 Crore in the financial year



2020-21. The plaintiffs also incur expenditure on advertisement, promotion and marketing of the brands. Expenditure incurred by the plaintiffs was to the tune of Rs. 132.55 Crore for the financial year 2020-21. The plaintiffs have also obtained registration of their trademark, details whereof have been given in paragraph 19 of the plaint.

4. Similarly, the plaintiffs also have a trademark LLOYD, which is registered for various classes of goods, details whereof have been mentioned in paragraph 30 of the plaint. The plaintiffs assert that its sales, while using the said marks, were to the tune of Rs. 1590.27 Crore for the financial year 2019-2020, with the advertising and sales promotion expenses of Rs. 103.15 Crore.

5. In this manner the plaintiffs claim that the above marks are well-known trademarks entitled to protection.

6. The plaintiffs are aggrieved by various rogue websites/domain names being registered using the trademark of the petitioner (Havells), such as havellsfranchisee.com, havellsfranchise.com, havellsfranchise.co.in, havellsdealership.com, havells-distributorship.live, havellsdealershipapply.in and franchiseinfo.in. Further details of such websites/domain names is given by the plaintiff at page 322 of the List of Documents. The plaintiffs assert that these websites/domain names are registered only to mislead the general consumers and public and, in fact, result in fraudulent activities being conducted, causing loss to the general public. The plaintiffs also give details of the manner in which such fraud is perpetuated on the unwary consumer.

7. Having considered the submissions made, the contents of the plaint and the documents filed therewith, I am of the opinion that the plaintiffs have been able to make out a *prima facie* case for grant of an *ex parte*



injunction. The balance of convenience is also in favour of the plaintiffs. Irreparable loss will be caused to the plaintiffs if an *ex parte* injunction is not passed in favour of the plaintiffs. The loss to the public is also incalculable.

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 and 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.
9. Compliance with Order XXXIX Rule 3 of the Code of Civil Procedure, 1908, be made within one week from today.

NAVIN CHAWLA, J

JULY 6, 2022/rv/DJ



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

+ CS(COMM) 447/2022

HAVELLS INDIA LTD & ANR. Plaintiffs

Through: Mr. Kunal Vats and Ms. Tanya Arora, Adv.

versus

ASHOK KUMAR/ JOHN DOE & ORS. Defendants

Through: Ms. Shweta Sahu and Mr. Brijesh Ujjainwal, Adv. for D-3 and D-8

Mr. Rahul Bajaj, Adv. for D-4

Mr. Neel Mason, Mr. Vihan Dang, Ms. Pragya Jain and Mr. Ujjawal Bhargava, Adv. for D-10

Mr. Praveen Kumar Jain and Ms. Rashmi Kumari, Adv. for D-13

Mr. Rakesh Kumar, CGSC with Mr. Sunil Kumar, Adv.

CORAM:**HON'BLE MR. JUSTICE C.HARI SHANKAR****ORDER**

%

13.12.2023**IA 24752/2023 (under Order XXXIX Rules 1 and 2 of CPC)**

1. This is an application by the plaintiff, seeking extension of direction (x) in para 8 of the order dated 6 July 2022, passed by the Coordinate Bench of this Court in IA 10116/2022 in the present suit.

2. By the said order, Defendants 17 and 18 were directed to deactivate, forthwith, the phone numbers 967476675, 7044103139, 9163705518, 987495665 and 9163603596, being used by imposters to collect monies from the public by misrepresenting themselves as



franchisees and dealerships of the plaintiff, without any such authority.

3. The present application states that the plaintiff has come across two other such phone numbers through which these activities were being permitted, which are +91 7092089050 and + 91 8093552914. The application seeks that direction (x) in para 8 of the order dated 6 July 2022 be extended to these phone numbers as well.

4. Defendants 11, 12, 17 and 18 are, therefore, directed, forthwith, to block and suspend access to the phone numbers + 91 7092089050 and + 91 8093552914 and to provide the complete KYC details of the subscribers of the said phone numbers on affidavit within a period of two weeks.

5. The application stands allowed accordingly.

6. If the plaintiff come across any other such phone numbers through which the illegal franchisees or dealership of the plaintiff are being offered, the plaintiff is at liberty to approach the concerned telecom operator as well as the official governmental departments for blocking and suspending the access to the said phone numbers. In such event, the concerned defendant shall block access to the said phone numbers as well.

7. The plaintiff shall, however, file an affidavit before this Court



within 24 hours, bringing the fact to the notice of this Court.

C. HARI SHANKAR, J.

DECEMBER 13, 2023

dsn

Click here to check corrigendum, if any



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
 + CS(COMM) 447/2022, I.A. 10116/2022, I.A. 14543/2022, I.A. 848/2023, I.A. 8774/2023 & I.A. 17808/2023

HAVELLS INDIA LTD & ANR. Plaintiffs
 Through: Mr. Sudeep Chaterjee, Mr. Kunal Vats and Mr. Jaydeep Roy, Advs.
 versus

ASHOK KUMAR/ JOHN DOE & ORS. Defendants
 Through: Ms. Shweta Sahu and Mr. Brijesh Ujjainwal, Advs. for D-3 & 4.
 Ms. Aishwarya Kane, Adv. for D-4.
 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.
 Mr. Praveen Kumar Jain, Ms. Rashmi Kumari and Ms. Sheetal Raghuvanshi, Advs. for D-13.
 Mr. Krishan Kumar, Mr. Seemant K. Garg and Mr. Nitin Pal, Advs. for D-15.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

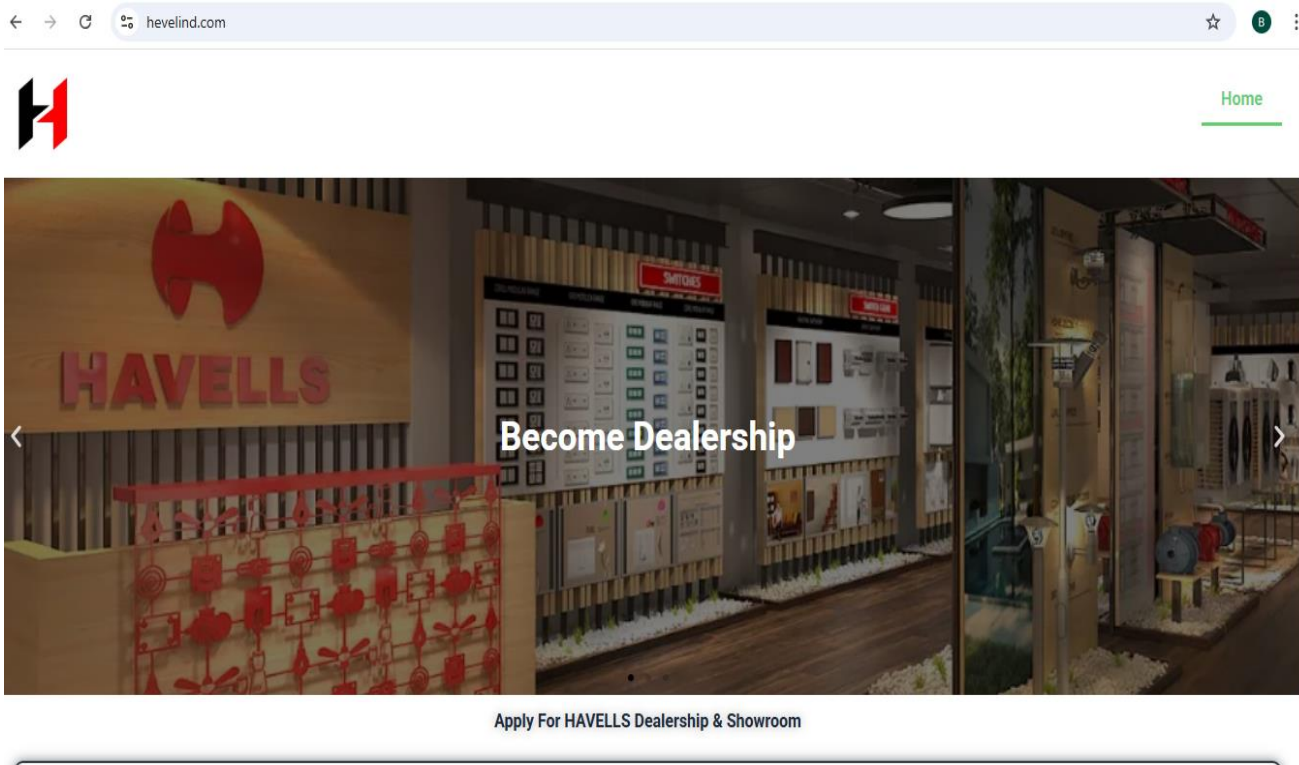
% **ORDER**
03.04.2024

I.A. 10116/2022 (under Order XXXIX Rules 1 & 2, CPC)

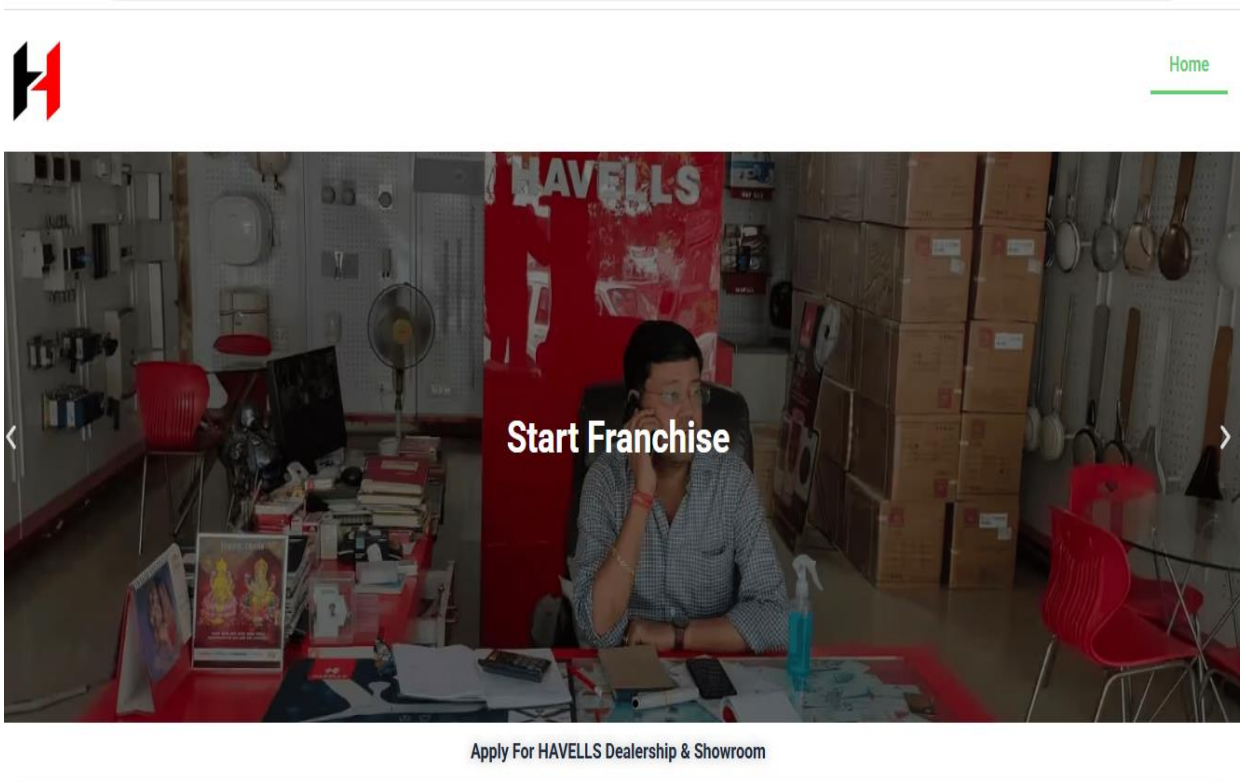
1. An *ex-parte ad interim* injunction was passed by this Court on 06th July, 2022 in favour of plaintiff and against defendants. The grievance was essentially against defendant nos.1 and 2 who have been proceeded *ex-parte*.



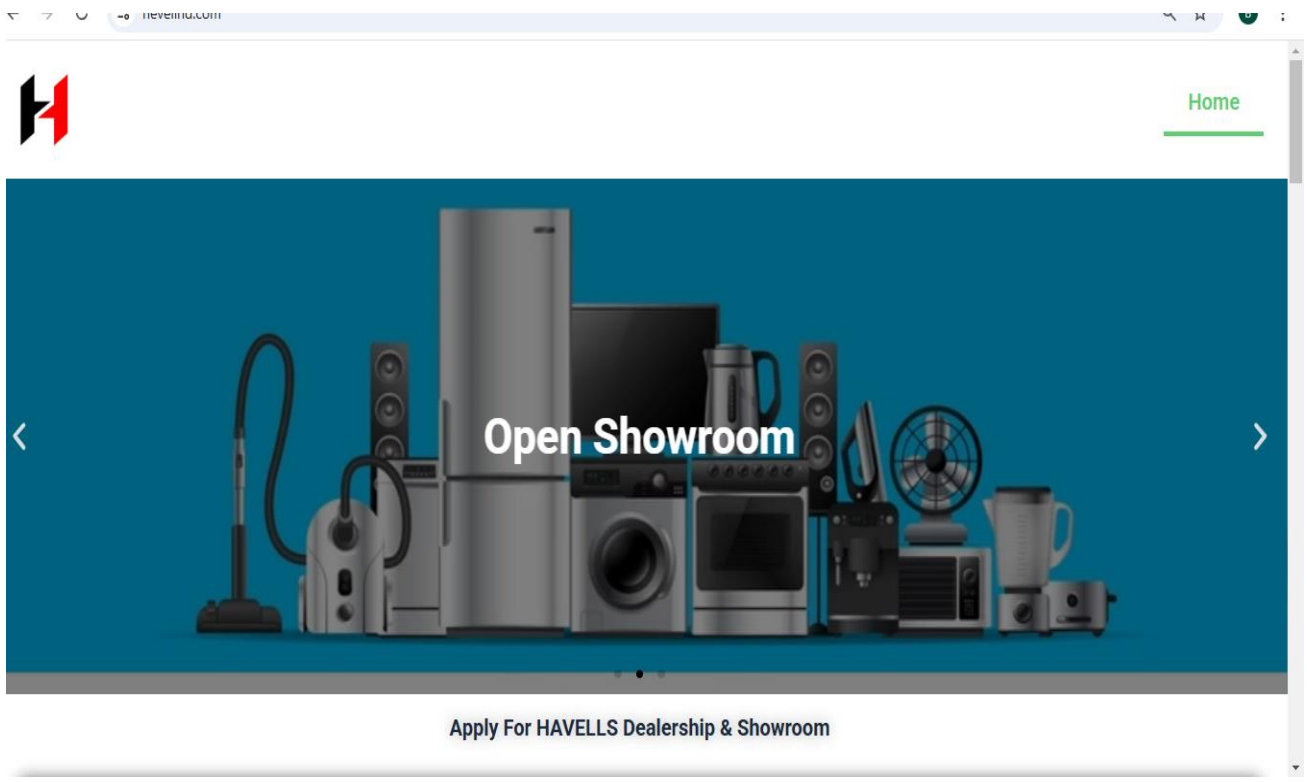
2. Directions were given *inter alia* to *defendant nos.3 to 9 and 13* which were Domain Name Registrars ['DNRs'] to lock the impugned domain names and disclose details of registrants of said domain names with requisite details; to *defendant nos.11 and 12* to issue directions to Internet Service Providers ['ISPs'] to block the impugned domains; to *defendant nos.14 to 16* to freeze the bank accounts and disclose KYC details; to *defendant nos.17 and 18* to provide complete disclosure of KYC details and deactivate the impugned mobile numbers.
3. It is stated by counsel for plaintiff that these compliances of the above directions have been made.
4. Counsel for defendant nos.3 and 8 clarifies that they have locked and suspended the impugned domain names but directions of 'blocking' can only be done by the ISPs; which directions had been given to defendant nos.11 and 12.
5. This would naturally apply to all DNRs as well, i.e., defendant nos.3 to 9 and 13.
6. As regards defendant no.10, directions were given in para 8(viii) in order dated 06th July, 2022 which has since been suspended by order dated 07th September, 2022 (para 4). However, a further clarification was issued by this Court in para 6 of the order dated 07th September, 2022.
7. The order of 06th July, 2022 is therefore made absolute read along with the above noted clarifications.
8. It is stated by counsel for the DNRs that pursuant to directions of this Court for blocking of the impugned domain names, the fee for the domain name registration has to be paid by the DNRs even after the domain name registration period has expired. In these circumstances, it is directed that the



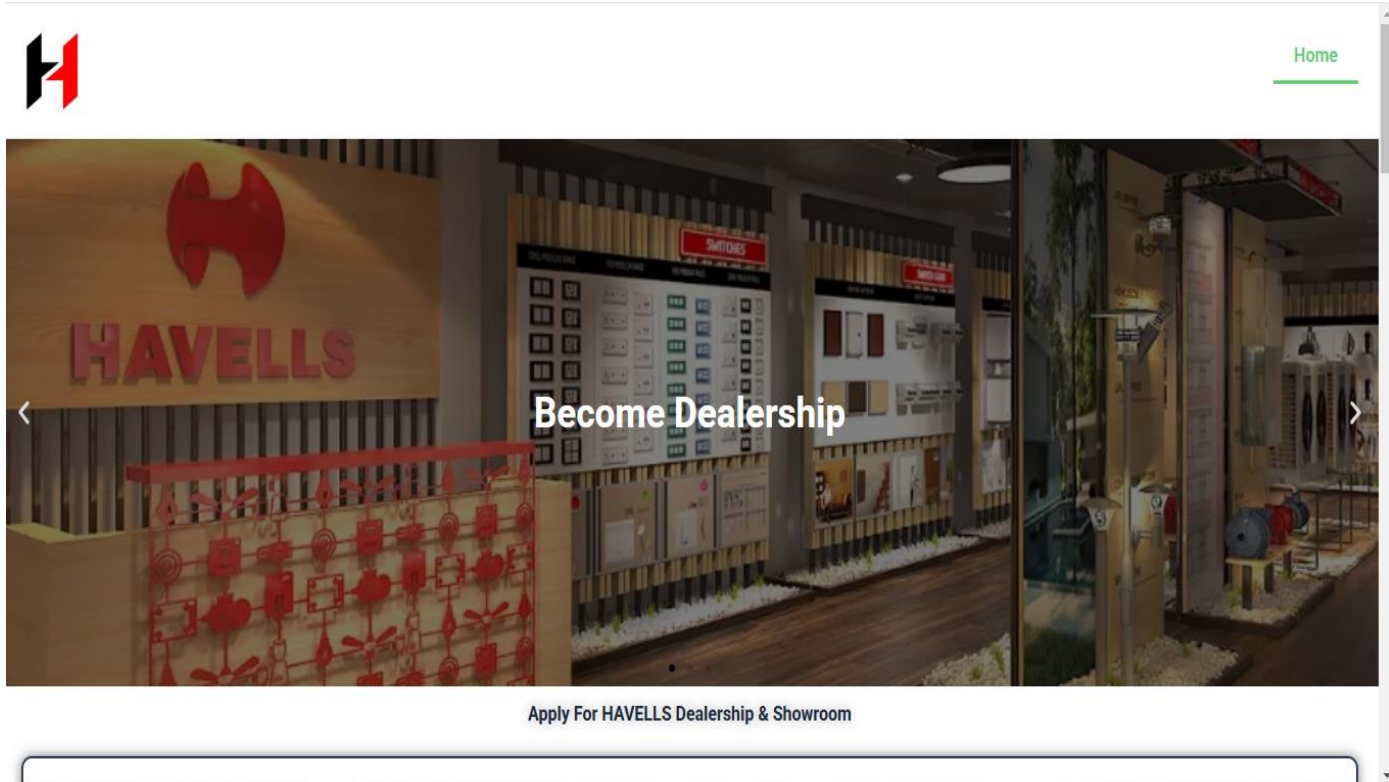
The screenshot shows a web browser window with the URL 'hevelind.com'. The page features the Havells logo in the top left and a 'Home' link in the top right. The main content is a large banner image of a modern Havells showroom. The banner includes the text 'Become Dealership' in white, centered over the image. Below the banner, there is a call-to-action button that reads 'Apply For HAVELLS Dealership & Showroom'.



The screenshot shows a web browser window with the URL 'hevelind.com'. The page features the Havells logo in the top left and a 'Home' link in the top right. The main content is a large banner image of a man sitting at a desk in a Havells office, talking on a mobile phone. The banner includes the text 'Start Franchise' in white, centered over the image. Below the banner, there is a call-to-action button that reads 'Apply For HAVELLS Dealership & Showroom'.



The screenshot shows a website banner with a dark blue background. On the left is the Havells logo, a stylized 'H' in red and black. On the right is a green 'Home' link. The main image displays a collection of home appliances: a vacuum cleaner, a water purifier, a refrigerator, a washing machine, a mixer-grinder, a fan, and a blender. The text 'Open Showroom' is centered in white. Below the banner is a button that says 'Apply For HAVELLS Dealership & Showroom'.



The screenshot shows a website banner with a dark background. On the left is the Havells logo, a stylized 'H' in red and black. On the right is a green 'Home' link. The main image shows the interior of a Havells showroom with various product displays, including a large red Havells logo on a wall and shelves of electrical products. The text 'Become Dealership' is centered in white. Below the banner is a button that says 'Apply For HAVELLS Dealership & Showroom'.

hevelind.com

Updated 1 day ago 

Domain Information

Domain:	hevelind.com
Registered On:	2025-01-05
Expires On:	2026-01-05
Updated On:	2025-01-06
Status:	client delete prohibited client renew prohibited client transfer prohibited client update prohibited
Name Servers:	edward.ns.cloudflare.com naomi.ns.cloudflare.com



Registrar Information

Registrar:	GoDaddy.com, LLC
IANA ID:	146
Abuse Email:	abuse@godaddy.com
Abuse Phone:	480-624-2505



Registrant Contact

Name:	Registration Private
Organization:	Domains By Proxy, LLC
Street:	DomainsByProxy.com 100 S. Mill Ave, Suite 1600
City:	Tempe
State:	Arizona
Postal Code:	85281

Country: US

Phone: +1.4806242599

Email: <https://www.godaddy.com/whois/results.aspx?domain=hevelind.com>



Technical Contact

Name: Registration Private

Organization: Domains By Proxy, LLC

Street: DomainsByProxy.com 100 S. Mill Ave, Suite 1600

City: Tempe

State: Arizona

Postal Code: 85281

Country: US

Phone: +1.4806242599

Email: <https://www.godaddy.com/whois/results.aspx?domain=hevelind.com>

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

+ CS(COMM) 447/2022 & I.A. No. 44551/2024

HAVELLS INDIA LTD & ANR.Plaintiffs

Through: Mr. Rohan Swarup with Mr. Sudeep Chatterjee and Mr. Sanyam Suri, Advocates.
(M): 8930707070
Email: sanyam@singhandsingh.com

versus

ASHOK KUMAR/ JOHN DOE & ORS.Defendants

Through: Mr. Kumar Vishwjeet, Advocate for defendant no. 16/Canara Bank.
(M): 9718909886
Mr. Parva Khare, Advocate for defendant nos. 3 and 8.
(M): 9911983636
Ms. Aishwarya Kane with Mr. Yash Raj, Advocates for defendant no. 4.
(M): 9910083144
Email: aishwarya@ira.law
Mr. Neel Mason with Mr. Vihan Dang, Mr. Ujjawal Bhargava, Mr. Aditya Mathur and Ms. Anuparna Chatterjee, Advocates for defendant no. 10.
(M): 9330543225
Mr. Rakesh Kumar, CGSC with Mr. Sunil, Advocate for defendant no. 11 and 12.
(M): 9811549455
Email: rakeshkumaregsc@gmail.com
Mr. Praveen Kumar Jain, Advocate with Mr. Jayakiran. C, Legal Officer



for National Internet Exchange of
India for defendant no. 13.
(M): 9871278525
Email: pkj@lawyer.com
Mr. Krishan Kumar with Mr. Seemant
K Garg and Mr. Nitin, Advocates for
defendant no. 15.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
11.11.2024

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I.A. No. 44551/2024 (Application under Order XXXIX Rule 2A)

1. The present application has been filed on behalf of the plaintiffs under Order XXXIX Rule 2A read with Section 151 of the Code of Civil Procedure, 1908 (“CPC”) for appropriate orders against defendant nos. 11 and 12 for disobedience of orders dated 06th July, 2022, 13th December, 2023 and 03rd April, 2024 passed by this Court.

2. It is submitted that the present suit relates to unauthorized and illegal use of plaintiffs’ registered trademark ‘HAVELLS’,

HAVELLS, LLOYD, **LLOYD**, and their variants by various unknown defendants, in such a manner that the said trademark ‘HAVELLS’/’LLOYD’ is being used in domain names for the purpose of defrauding and duping the innocent members of the general public.

3. It is submitted that vide order dated 06th July, 2022, this Court had granted an *ad-interim* injunction in favour of the plaintiffs and against the defendants, thereby *inter alia*, restraining the defendant nos.1 and 2 from



using in any manner, the plaintiffs' registered trademarks HAVELLS and LLOYD, in respect of fraudulent domain names.

4. It is submitted that keeping in account the nature of the present suit, this Court confirmed the injunction orders dated 06th July, 2022 and 13th December, 2023, vide order dated 03rd April, 2024.

5. Learned counsel appearing for the plaintiffs submits that on 03rd October, 2024, the plaintiffs learnt that a new rogue website/domain name had come to light, which was being used to deceive the members of general public in purchasing fake and non-existing franchises/dealership of the plaintiffs. The plaintiffs immediately wrote an email to defendant nos. 11 and 12 requesting them to forthwith lock the said impugned domain name/website, i.e., <https://havellsonlinedealership.com/>.

6. It is submitted that further reminder emails to defendant nos. 11 and 12 were written on 22nd October, 2024 and thereafter on 25th October, 2024. However, the defendant nos. 11 and 12, have failed to perform their obligation.

7. Issue notice.

8. Notice is accepted by learned counsels appearing for various defendants, including defendant nos. 11 and 12 and defendant no. 4.

9. Learned counsel appearing for defendant nos. 11 and 12 submits that requisite letters have already been issued to the Internet Service Licensees.

10. Learned counsel appearing for defendant no. 4 on advance notice, submits that there is no non-compliance by defendant no. 4, and defendant no.4 has not violated any directions of this Court. She further submits that there are no allegations against defendant no. 4.

11. The aforesaid statements on behalf of defendant nos. 11 and 12 and 4



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are noted.

12. Considering the submissions made before this Court, the defendant no. 4 is directed to lock and suspend the impugned domain name i.e. <https://havellsonlinedealership.com/>.

13. Further, it is directed that defendant nos. 11 and 12 will act expeditiously in future, in case, any infringing activity is brought to their notice, by the plaintiffs.

14. With the aforesaid directions, the present application is disposed of.

MINI PUSHKARNA, J

NOVEMBER 11, 2024

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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, 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
Ph.: 040-67607600
3. **HOSTING CONCEPTS B.V. D/B/A**
OPENPROVIDER
Willem Buytewechstraat 40 Rotterdam,
ZH 3024 BN, Netherlands
Email: 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
Ph.: (661) 3102107
5. DREAMSCAPE NETWORKS
INTERNATIONAL PVT. LTD.,
3, Irving Road #09-01
Singapore 369522
Email: legal@dreamscapenetworks.com
Ph.: +65 69147880
6. HOSTINGER INTERNATIONAL, LTD
Jonavos G. 60C,
Kaunas, Kaunas County
Lithuania
Email: abuse@hostinger.com
Ph.: +37064503378
7. DOMAIN BY PROXY
2150 East. Warner Rd.
Tempe, AZ 85284,
United States of America
Email: 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
Ph.: +1 213 5592459

9. GOOGLE LLC
1600, Amphitheatre Parkway,
Mountain View, CA 94043,
United States of America,
Email: 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, 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 ,
gccyberlaws@meity.gov.in, pkumar@meity.gov.in,
sathya.s@meity.gov.in; 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

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
Ph.: 18001030123
14. IDBI BANK LTD.
IDBI Bank Ltd. IDBI Tower, WTC Complex,
Cuffe Parade, Colaba, Mumbai 400005.
Email: cmd@idbi.co.in
Ph.: 022-22185320
15. CANARA BANK No.38, Ansal Towers,
Nehru Place, Delhi 110019
E-mail: vigilancewing@canarabank.com
Ph.: 080-22127266
16. BHARTI AIRTEL LTD.
Airtel Centre, Tower-A,
6th Floor 'A' Wing, Plot No.16,
Udyog Vihar, Ph-IV, Gurgaon-122016,
E-Mail: 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;
pankaj.kapdeo@vodafoneidea.com; and
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.