

**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-51/2024-DS-II**

**Dated:31-01-2025**

**To,**

All the Internet Service Licensee

**Subject: CS(COMM) 945 of 2024: Star India Pvt. Ltd Vs. Tajkir Mohammad Tanvir (King's Pro+ Application) And Ors. before the High Court of Delhi**

Kindly find the enclosed Hon'ble Delhi High Court order dated **25.10.2024 and 09.01.2025 (refer para 3)** on the subject matter.

2. Please refer to the **para 44** of the **court order dated 25.10.2024** in respect of blocking of **websites** enumerated in the memo of parties as **Def. No. 17**.
3. In view of the above all the Internet Service licensees are hereby instructed to take immediate necessary action for blocking access to website of **defendants no. 17** as given in memo of parties.

Digitally signed by  
SHASHI KUMAR  
Date: 31-01-2025  
18:02:37

**Director (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. Ms. Astha Sehgal <astha@saikrishnaassociates.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.



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
 + CS(COMM) 945/2024  
 STAR INDIA PRIVATE LIMITED

.....Plaintiff

Through: Ms. Astha Sehgal, Advocate

versus

MR TAJKIR MOHAMMAD TANVIR AND ORS  
 .....Defendant

Through: Mr. Shiv Johar, Mr. Aparjito  
 Sen, Advocates for D-14.

**CORAM:**  
**JOINT REGISTRAR (JUDICIAL) Dr. AJAY GULATI**

% **ORDER**  
**09.01.2025**

**I.A. No. 387/2025 filed on behalf of the plaintiff seeking impleadment of additional rogue website (notified on affidavit) engaged in infringing activities as defendant no. 17 in the instant suit.**

1. The plaintiff is seeking to implead additional rogue-website as defendant no. 17 because it has been found to be indulging in illegally disseminating the copyrighted material belonging to the plaintiff. The application is supported by the required affidavit. Keeping in view the contents of the suit and the application, the same is allowed. The proposed defendant is impleaded as defendant no. 17.
2. The amended memo filed alongwith this IA is taken on record. Steps be taken to serve defendant no. 17 within two weeks.
3. The order passed by the Hon'ble Court on **25.10.2024** regarding blocking / suspension of the rogue-website by



defendants no. 3 to 13 shall operate qua the freshly impleaded defendant as well, in terms of directions contained in **paras 42 to 44** of the said order. IA is allowed and disposed off accordingly.

**Dr. AJAY GULATI**  
**(DHJS),**  
**JOINT REGISTRAR (JUDICIAL)**

**JANUARY 9, 2025/sk**

*Click here to check corrigendum, if any*



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

+ CS(COMM) 945/2024 with I.A. 43343/2024, I.A. 43344/2024, I.A. 43345/2024, I.A. 43346/2024 and I.A. 43347/2024

STAR INDIA PRIVATE LIMITED .....Plaintiff

Through: Mr Siddharth Chopra, Mr Yatinder Garg, Ms Disha Sharma and Ms Astha Sehgal, Advocates.

versus

MR TAJKIR MOHAMMAD TANVIR  
(KING'S PRO+) AND ORS .....Defendants

Through: None.

**CORAM:**  
**HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER**  
**25.10.2024**

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**I.A. 43345/2024 (for exemption from filing original, certified copies, clearer copies, translated copies)**

1. Allowed, subject to the plaintiff filing original/legible copies of the documents within four (4) weeks from today.
2. The application is disposed of.

**I.A. 43344/2024 (u/S 12A of Commercial Courts Act)**

3. As the present suit contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar v. T.K.D. Krithi*, 2023 SCC Online SC 1382, exemption from the requirement of pre-institution mediation is granted.
4. The application stands disposed of.



**I.A. 43346/2024 (under Section 80, CPC for exemption from advance service to defendant Nos. 12, 13, 4 and 7)**

5. The present application has been filed on behalf of the plaintiff seeking exemption from advance service to the defendant no. 4 (Bharat Sanchar Nigam Limited), the defendant no. 7 (Mahanagar Telephone Nigam Ltd.), the defendant no. 12 [Department of Telecommunications (DoT)], and the defendant no. 13 (Ministry of Electronics and Information Technology) under Section 80 of the Civil Procedure Code, 1908 (hereinafter, 'CPC').

6. In view of the urgent *ex parte* relief sought, the plaintiff is granted exemption from the requirement of issuing notice to the defendants no. 4, 7, 12 and 13, under Section 80 of the CPC.

7. The application stands disposed of.

**I.A. 43347/2024 (O-XI R-1(4) of the Commercial Courts Act)**

8. The present application has been filed on behalf of the plaintiff seeking leave to file additional documents under the Commercial Courts Act, 2015.

9. The plaintiff is permitted to file additional documents in accordance with the provisions of the Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.

10. Accordingly, the application is disposed of.

**CS(COMM) 945/2024**

11. Let the plaint be registered as a suit.

12. Issue summons.

13. Summons be issued to the defendants through all modes. The summons shall state that the written statement(s) shall be filed by the defendants within thirty days from the date of the receipt of summons.



Along with the written statement(s), the defendants shall also file an affidavit of admission/denial of the documents of the plaintiff, without which the written statement(s) shall not be taken on record.

14. Liberty is given to the plaintiff to file replication(s), if any, within thirty days from the receipt of the written statement(s). Along with the replication(s) filed by the plaintiff, affidavit of admission/denial of the documents of the defendants be filed by the plaintiff.

15. The parties shall file all original documents in support of their respective claims along with their respective pleadings. In case parties are placing reliance on a document, which is not in their power and possession, its detail and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

16. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

17. List before the Joint Registrar on 4<sup>th</sup> December, 2024 for completion of service and pleadings.

18. List before the Court on 27<sup>th</sup> February, 2025.

**I.A. 43343/2024 (O-XXXIX Rule 1 & 2 of CPC)**

25. The present suit has been filed for permanent injunction, rendition of accounts and damages for the infringement of the exclusive rights in the plaintiff's original content/work, which is protected under the Copyright Act, 1957, against defendant no.1 which is a rogue app and associated websites that substantially indulge in online piracy by making original content available for download and otherwise providing access to infringing and illegal content.



26. It is averred in the plaint that the plaintiff is a leading entertainment and media company in India engaged in, *inter alia*, the production of popular content broadcast on its STAR channels. The plaintiff is also an exclusive right owner for several works broadcasted on its STAR channels. Plaintiff, along with its affiliates, is the owner of an extensive portfolio of more than 70 channels in over nine languages (all channels owned and/or distributed by the plaintiff are hereinafter collectively referred to as “STAR Channels”). Plaintiff owns and operates the online audio-visual streaming platform and website, ‘www.hotstar.com’, and the mobile application, ‘Disney+ Hotstar’, formerly known as ‘Hotstar’ (hereinafter collectively referred to as “Disney+ Hotstar”). With the widest range of content in India, Disney+ Hotstar offers over 100,000 hours of TV shows and movies across 8 languages, Disney+ originals, latest American shows, blockbuster Hollywood movies and content from international studios, exclusive new content from the Hotstar Specials label, regional and national news, and coverage of every major global sporting event.

27. Plaintiff claims to have exclusive rights in the aforesaid works by virtue of provision of Section 14(d) of the Copyright Act, 1957 including *inter alia* the rights to publicly exhibit and communicate the said content through any medium or mode, including on STAR Channels or Disney+ Hotstar. It is pleaded that by virtue of the exclusive media rights granted to the plaintiff, they broadcast, telecast and/or communicate to the public, its Original Shows / Original Content and the STAR Channels on the digital platform, Disney+ Hotstar, owned by the plaintiff.

28. It is contended that the defendant no. 1, (“defendant app and websites”) are online locations and mobile application whose purpose is to



communicate, make available for viewing and providing access to content of the plaintiff by offering subscription packages under two distinct categories: a) **Premium Package**, which is available at a starting monthly subscription fee of USD 15, and b) **Gold Package**, which is available at a starting monthly subscription fee of USD 20 and without any authorization. This Rogue App is a completely illegal mobile application and has no permission or authorisation to reproduce, store, transmit, communicate, make available for viewing or provide access to any of the plaintiff's content. It is also submitted that most of the content communicated through this Rogue App and associated websites/domains does not belong to it. It is also contended that the download, distribution and use of these Android based Rogue Apps, occurs through an .APK ("Android Package Kit" / "Android Application Package"). The primary intent and purpose of this Rogue App and associated websites/domains is to exploit various copyright-protected works, of the plaintiff's content and to provide an alternative to legitimate sources to the user, such that the user does not have to pay for enjoying the copyright-protected works. An illustrative list of illegal content made available by the defendant websites has been provided in paragraph 11 of the plaint.

29. In order to protect and enforce their exclusive rights, the plaintiff investigated and monitored the defendant's Rogue App/UIs/Domains/websites and gathered evidence of their infringing activities, which has been filed along with the suit.

30. It is further contended that despite the legal notice to the hosting service providers of the defendant no.1 websites, requesting disabling of access to the URLs/domains and suspending them from their servers to





prevent continued violation of the plaintiff's rights, the defendant no.1 continues to infringe the rights in the plaintiff's original content.

31. In light of the above, it is contended that the defendant no.1 is liable for infringement of the plaintiff's copyright works under Section 51(a)(ii), Section 51(b) and Section 51(a)(i) of the Act, for making a copy of the original content, including storing of it in any medium by electronic or other means and communicating the original content to the public, the hosting, streaming, reproducing, distributing, making available to the public, and/or communicating to the public of the original content for streaming and downloading, or facilitating the same, without authorization of the plaintiff. In support of the aforesaid contention, reliance is placed on the decision of this court in CS(COMM) 724 of 2017 dated 10<sup>th</sup> April, 2019 titled *UTV Software Communication Ltd. &Anr. v. 1337x.to and Ors.*

32. It is further contended by the plaintiff's counsel that it is apprehended that Mr. Tajkir Mohammad Tanvir (defendant no.1), is the owner and operator of the Rogue App King's Pro+ and the information provided in the public domain regarding the owner of the Rogue App and related websites is either incomplete, incorrect and/or protected behind a veil of secrecy. These Rogue Apps/UIs/Domains/websites hide behind domain privacy services offered by various Domain Name Registrars, which enable a website owner to hide behind a veil and not disclose any contact details publicly, to protect their privacy. Defendant no. 2 (Name Cheap Inc.) is a domain name registrar providing domain name registration to the defendant no.1.

33. In order to overcome this, the plaintiff has arrayed various internet and telecom services providers (ISPs) as the defendants no. 3-11 (hereinafter "the said ISPs"), DoT as the defendant no. 12, MEITY as the defendant no.



13, and online payment service provider PayPal Payment Private Limited as the defendant no.14 in the present suit to ensure the effective implementation of orders passed by this Court.

34. Issue notice

35. Notice be issued to the defendants through all modes.

36. Reply(ies) be filed within four (4) weeks.

37. Rejoinder(s) thereto, if any, be filed two (2) weeks thereafter.

38. In view of the averments noted hereinabove and in view of the judgment passed in *UTV Software Communication Ltd. (supra)*, this Court is of the opinion that a *prima facie* case is made out in favour of the plaintiff. Balance of convenience is also in favour of the plaintiff. Further, irreparable harm or injury would be caused to the plaintiff if an interim injunction order is not passed.

39. Accordingly, the defendant no. 1 (and any such other UIs/websites which appears to be associated with any of the defendant apps and websites based on its name, branding or the identity of its operator, or discovered to provide additional means of accessing, the defendant apps and websites, and other domains/domain/apps/UIs along with their sub domains and subdirectories, owners/website operators/entities which are discovered to have been engaging in infringing the plaintiff's exclusive rights), their owners, partners, proprietors, officers, servants, employees, and all others in capacity of principals or agents, acting for and on their behalf, or anyone claiming through, by or under them are hereby restrained, from, in any manner hosting, streaming, reproducing, distributing, making available to the public and/or communicating to the public, or facilitating the same, on their App/UIs/websites, through the internet in any manner whatsoever, any



cinematograph work/content/programme/show in relation to which plaintiff has a copyright.

40. The defendant no.2 shall ensure compliance with this order by locking and suspending the domain name registration of the defendant no.1's associated rogue websites, their URLs and the respective UIs as filed along with the suit (Pg 1 - Vol 1) (also annexed herewith as annexure - A) and any other UIs/apps/websites notified by the plaintiff by filing of an affidavit.

41. The defendant no.2, their directors, partners, proprietors, officers, affiliates, servants, employees, and all others in capacity of principal or agent acting for and, on their behalf, or anyone claiming through, by or under it, are directed to disclose the following information of the defendant no.1 (and any such other websites/UIs which are discovered during the course of the proceedings and notified on Affidavit by the plaintiff to have been infringing/ authorizing the infringement of the plaintiff's exclusive rights, copyrights and broadcast reproduction rights):

A. Complete details (such as name, address, email address, phone number, IP address etc.) of the defendant no.1 (and any such other websites/UIs which are discovered during the course of the proceedings and notified on Affidavit by the plaintiff to have been infringing/ authorizing the infringement of the plaintiff's exclusive rights, copyrights).

B. Mode of payment along with payment details used for registration of domain name by the registrant i.e., defendant no.1 (and any such other websites/UIs which are discovered during the course of the proceedings and notified on Affidavit by the plaintiff to have been



infringing/ authorizing the infringement of the plaintiff's exclusive rights, copyrights).

42. The defendants no. 3 to 11 their directors, partners, proprietors, officers, affiliates, servants, employees, and all others in capacity of principal or agent acting for and, on their behalf, or anyone claiming through, by or under it, are directed to block access to the various associated websites, their URLs and the respective UIs as filed along with the suit (Pg 1 - Vol 1) (also annexed herewith as annexure - A) and any other apps/websites notified by the plaintiff by filing of an affidavit .

43. Further, the plaintiff shall, within one week of having filed such an affidavit in terms of paragraphs 40, 41 and 42 above, move an appropriate application for impleadment of the aforementioned websites/UIs notified by the plaintiff.

44. Defendants no. 12 and 13 are further directed to take immediate steps and issue requisite notifications within five working days, calling upon various internet and telecom service providers registered under them to block the aforementioned websites/UIs identified by the plaintiff.

45. Defendant no. 14 is further directed to freeze the defendant no.1's account (<https://www.paypal.me/TajkirMohammadTanvir>) and disclose the complete account statement (in sealed cover), the full Know Your Customer (KYC) details of the defendant no.1, including but not limited to the identity, address, and contact information associated with the defendant no.1's PayPal account.

46. Compliance under Order XXXIX Rule 3 of the Code of Civil Procedure, 1908 (CPC) be done within one (1) week from today.



47. List before the Joint Registrar on 4<sup>th</sup> December, 2024 for completion of service and pleadings.

48. List before the Court on 27<sup>th</sup> February, 2025.

**AMIT BANSAL, J**

**OCTOBER 25, 2024**

*PB*



## ANNEXURE-A

### LIST OF WEBSITES / DOMAINS PROVIDING ACCESS TO THE .APK FILES OF THE IMPUGNED APPLICATION

S. NO.	WEBSITES
1.	<a href="https://bit.ly/king33">https://bit.ly/king33</a>
2.	<a href="http://secure.sept2024.xyz">http://secure.sept2024.xyz</a>
3.	<a href="http://nasi.newkings24.xyz">http://nasi.newkings24.xyz</a>
4.	<a href="http://up.newkings24.xyz">http://up.newkings24.xyz</a>
5.	<a href="http://go2100ogle.xyz">http://go2100ogle.xyz</a>
6.	<a href="http://info.newkings24.xyz">http://info.newkings24.xyz</a>
7.	<a href="http://up2.newkings24.xyz">http://up2.newkings24.xyz</a>

N.D.O.H: ON 14.02.2025 BEFORE JOINT REGISTRAR(JUDICIAL)

✓ EMAIL/ IPD

Date of last Order: 09.01.2025	Date of receipt of process:
Date of filing PF: 15.01.2025	Date of Service of process:
Date of issuance: 18.01.2025	Date of returning of Process to DA:

1364-I IN THE HIGH COURT OF DELHI AT NEW DELHI

21-1-25  
CS(COMM) 945/2024 & I.A.387/2025

STAR INDIA PRIVATE LIMITED.

PLAINTIFF(S)

Vs

MR. TAJKIR MOHAMMAD TANVIR AND ORS.

DEFENDANT(S)

To,

PROPOSED DEFENDANT NO 1717.<http://new45.20240615.xyz>

WHEREAS the plaintiff has instituted a suit relating to a commercial dispute against you and you are hereby summoned to file a written statement within 30 days of the service of the present summons and in case you fail to file the written statement within the said period of thirty days, you shall be allowed to file the written statement on such other day, as may be specified by the Court, for reasons to be recorded in writing and on payment of such costs as the Court deems fit, but which shall not be later than 120 days from the date of service of summons. On expiry of one hundred twenty days from the date of service of summons, you shall forfeit the right to file the written statement and the Court shall not allow then written statement to be taken on record.

You are required to appear in this Court, in person or by a pleader duly instructed, and able to answer all material questions relating to the suit, or who shall be accompanied by some person able to answer all such questions on 14.02.2025 at 11:00 A.M. BEFORE JOINT REGISTRAR(JUDICIAL) to answer the claim; and further you are hereby to produce on the said day all documents in your possession or power upon which you base your defence or claim for set off or counter claim, and where you rely on any other document whether in your possession or power or not, as evidence in support or your defence of your claim for set off, or counter claim you shall enter such documents in lists to be annexed to the written statement.

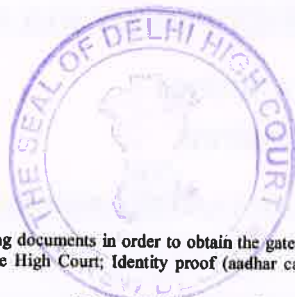
*The Defendant(s) is/are directed to file a written statement(s) to the plaint positively within thirty day(s) from date of receipt of summons with advance copy to opposite side. Along with the written statement(s), the Defendant shall also file an affidavit of admission/denial of the documents of the Plaintiffs, without which the written statement(s) shall not be taken on record.*

Take further notice that in default of your appearance on the date fixed and in the matter mentioned above the suit will be heard and determined ex-parte in your absence.

Given under my hand and the seal of this Court, this the 18<sup>th</sup> Day of January, 2025.

**ADMN. OFFICER JUDL. (IPD)  
For REGISTRAR GENERAL**

ak



**ENCL: 1) Copy of Order dt : 25.10.2024**

**NOTE: 2) Copy of Plaint**

- The Party in person is required to produce the following documents in order to obtain the gate pass for entry to the High Court: Notice served upon the party or any other proof requiring his presence in the High Court; Identity proof (aadhar card, election identity card, ration card, driving licence or passport).
- Litigants may avail affordable legal service from the High Court of Delhi (Middle Income Group) Legal Aid Society. For eligibility & further details contact DHCMLAS office at Lawyer's Chamber No. 233, 2<sup>nd</sup> Floor, LCB-1, Delhi High Court, New Delhi – 110503, or visit [www.dhcmilas.com](http://www.dhcmilas.com).





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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
 + CS(COMM) 945/2024 with I.A. 43343/2024, I.A. 43344/2024, I.A. 43345/2024, I.A. 43346/2024 and I.A. 43347/2024

STAR INDIA PRIVATE LIMITED .....Plaintiff  
 Through: Mr Siddharth Chopra, Mr Yatinder Garg, Ms Disha Sharma and Ms Astha Sehgal, Advocates.

versus

MR TAJKIR MOHAMMAD TANVIR  
(KING'S PRO+) AND ORS .....Defendants  
 Through: None.

**CORAM:**  
**HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER**

% **25.10.2024**

**I.A. 43345/2024 (for exemption from filing original, certified copies, clearer copies, translated copies)**

1. Allowed, subject to the plaintiff filing original/legible copies of the documents within four (4) weeks from today.

2. The application is disposed of.

**I.A. 43344/2024 (u/S 12A of Commercial Courts Act)**

3. As the present suit contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar v. T.K.D. Krithi*, 2023 SCC Online SC 1382, exemption from the requirement of pre-institution mediation is granted.

4. The application stands disposed of.



**I.A. 43346/2024 (under Section 80, CPC for exemption from advance service to defendant Nos. 12, 13, 4 and 7)**

5. The present application has been filed on behalf of the plaintiff seeking exemption from advance service to the defendant no. 4 (Bharat Sanchar Nigam Limited), the defendant no. 7 (Mahanagar Telephone Nigam Ltd.), the defendant no. 12 [Department of Telecommunications (DoT)], and the defendant no. 13 (Ministry of Electronics and Information Technology) under Section 80 of the Civil Procedure Code, 1908 (hereinafter, 'CPC').

6. In view of the urgent *ex parte* relief sought, the plaintiff is granted exemption from the requirement of issuing notice to the defendants no. 4, 7, 12 and 13, under Section 80 of the CPC.

7. The application stands disposed of.

**I.A. 43347/2024 (O-XI R-1(4) of the Commercial Courts Act)**

8. The present application has been filed on behalf of the plaintiff seeking leave to file additional documents under the Commercial Courts Act, 2015.

9. The plaintiff is permitted to file additional documents in accordance with the provisions of the Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.

10. Accordingly, the application is disposed of.

**CS(COMM) 945/2024**

11. Let the plaint be registered as a suit.

12. Issue summons.

13. Summons be issued to the defendants through all modes. The summons shall state that the written statement(s) shall be filed by the defendants within thirty days from the date of the receipt of summons.



Along with the written statement(s), the defendants shall also file an affidavit of admission/denial of the documents of the plaintiff, without which the written statement(s) shall not be taken on record.

14. Liberty is given to the plaintiff to file replication(s), if any, within thirty days from the receipt of the written statement(s). Along with the replication(s) filed by the plaintiff, affidavit of admission/denial of the documents of the defendants be filed by the plaintiff.

15. The parties shall file all original documents in support of their respective claims along with their respective pleadings. In case parties are placing reliance on a document, which is not in their power and possession, its detail and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

16. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

17. List before the Joint Registrar on 4<sup>th</sup> December, 2024 for completion of service and pleadings.

18. List before the Court on 27<sup>th</sup> February, 2025.

**I.A. 43343/2024 (O-XXXIX Rule 1 & 2 of CPC)**

25. The present suit has been filed for permanent injunction, rendition of accounts and damages for the infringement of the exclusive rights in the plaintiff's original content/work, which is protected under the Copyright Act, 1957, against defendant no.1 which is a rogue app and associated websites that substantially indulge in online piracy by making original content available for download and otherwise providing access to infringing and illegal content.



26. It is averred in the plaint that the plaintiff is a leading entertainment and media company in India engaged in, *inter alia*, the production of popular content broadcast on its STAR channels. The plaintiff is also an exclusive right owner for several works broadcasted on its STAR channels. Plaintiff, along with its affiliates, is the owner of an extensive portfolio of more than 70 channels in over nine languages (all channels owned and/or distributed by the plaintiff are hereinafter collectively referred to as “STAR Channels”). Plaintiff owns and operates the online audio-visual streaming platform and website, ‘www.hotstar.com’, and the mobile application, ‘Disney+ Hotstar’, formerly known as ‘Hotstar’ (hereinafter collectively referred to as “Disney+ Hotstar”). With the widest range of content in India, Disney+ Hotstar offers over 100,000 hours of TV shows and movies across 8 languages, Disney+ originals, latest American shows, blockbuster Hollywood movies and content from international studios, exclusive new content from the Hotstar Specials label, regional and national news, and coverage of every major global sporting event.

27. Plaintiff claims to have exclusive rights in the aforesaid works by virtue of provision of Section 14(d) of the Copyright Act, 1957 including *inter alia* the rights to publicly exhibit and communicate the said content through any medium or mode, including on STAR Channels or Disney+ Hotstar. It is pleaded that by virtue of the exclusive media rights granted to the plaintiff, they broadcast, telecast and/or communicate to the public, its Original Shows / Original Content and the STAR Channels on the digital platform, Disney+ Hotstar, owned by the plaintiff.

28. It is contended that the defendant no. 1, (“defendant app and websites”) are online locations and mobile application whose purpose is to



communicate, make available for viewing and providing access to content of the plaintiff by offering subscription packages under two distinct categories: a) **Premium Package**, which is available at a starting monthly subscription fee of USD 15, and b) **Gold Package**, which is available at a starting monthly subscription fee of USD 20 and without any authorization. This Rogue App is a completely illegal mobile application and has no permission or authorisation to reproduce, store, transmit, communicate, make available for viewing or provide access to any of the plaintiff's content. It is also submitted that most of the content communicated through this Rogue App and associated websites/domains does not belong to it. It is also contended that the download, distribution and use of these Android based Rogue Apps, occurs through an .APK ("Android Package Kit" / "Android Application Package"). The primary intent and purpose of this Rogue App and associated websites/domains is to exploit various copyright-protected works, of the plaintiff's content and to provide an alternative to legitimate sources to the user, such that the user does not have to pay for enjoying the copyright-protected works. An illustrative list of illegal content made available by the defendant websites has been provided in paragraph 11 of the plaint.

29. In order to protect and enforce their exclusive rights, the plaintiff investigated and monitored the defendant's Rogue App/UIs/Domains/websites and gathered evidence of their infringing activities, which has been filed along with the suit.

30. It is further contended that despite the legal notice to the hosting service providers of the defendant no.1 websites, requesting disabling of access to the URLs/domains and suspending them from their servers to



prevent continued violation of the plaintiff's rights, the defendant no.1 continues to infringe the rights in the plaintiff's original content.

31. In light of the above, it is contended that the defendant no.1 is liable for infringement of the plaintiff's copyright works under Section 51(a)(ii), Section 51(b) and Section 51(a)(i) of the Act, for making a copy of the original content, including storing of it in any medium by electronic or other means and communicating the original content to the public, the hosting, streaming, reproducing, distributing, making available to the public, and/or communicating to the public of the original content for streaming and downloading, or facilitating the same, without authorization of the plaintiff. In support of the aforesaid contention, reliance is placed on the decision of this court in CS(COMM) 724 of 2017 dated 10<sup>th</sup> April, 2019 titled *UTV Software Communication Ltd. &Anr. v. 1337x.to and Ors.*

32. It is further contended by the plaintiff's counsel that it is apprehended that Mr. Tajkir Mohammad Tanvir (defendant no.1), is the owner and operator of the Rogue App King's Pro+ and the information provided in the public domain regarding the owner of the Rogue App and related websites is either incomplete, incorrect and/or protected behind a veil of secrecy. These Rogue Apps/UIs/Domains/websites hide behind domain privacy services offered by various Domain Name Registrars, which enable a website owner to hide behind a veil and not disclose any contact details publicly, to protect their privacy. Defendant no. 2 (Name Cheap Inc.) is a domain name registrar providing domain name registration to the defendant no.1.

33. In order to overcome this, the plaintiff has arrayed various internet and telecom services providers (ISPs) as the defendants no. 3-11 (hereinafter "the said ISPs"), DoT as the defendant no. 12, MEITY as the defendant no.



13, and online payment service provider PayPal Payment Private Limited as the defendant no.14 in the present suit to ensure the effective implementation of orders passed by this Court.

34. Issue notice

35. Notice be issued to the defendants through all modes.

36. Reply(ies) be filed within four (4) weeks.

37. Rejoinder(s) thereto, if any, be filed two (2) weeks thereafter.

38. In view of the averments noted hereinabove and in view of the judgment passed in *UTV Software Communication Ltd. (supra)*, this Court is of the opinion that a *prima facie* case is made out in favour of the plaintiff. Balance of convenience is also in favour of the plaintiff. Further, irreparable harm or injury would be caused to the plaintiff if an interim injunction order is not passed.

39. Accordingly, the defendant no. 1 (and any such other UIs/websites which appears to be associated with any of the defendant apps and websites based on its name, branding or the identity of its operator, or discovered to provide additional means of accessing, the defendant apps and websites, and other domains/domain/apps/UIs along with their sub domains and subdirectories, owners/website operators/entities which are discovered to have been engaging in infringing the plaintiff's exclusive rights), their owners, partners, proprietors, officers, servants, employees, and all others in capacity of principals or agents, acting for and on their behalf, or anyone claiming through, by or under them are hereby restrained, from, in any manner hosting, streaming, reproducing, distributing, making available to the public and/or communicating to the public, or facilitating the same, on their App/UIs/websites, through the internet in any manner whatsoever, any



cinematograph work/content/programme/show in relation to which plaintiff has a copyright.

40. The defendant no.2 shall ensure compliance with this order by locking and suspending the domain name registration of the defendant no.1's associated rogue websites, their URLs and the respective UIs as filed along with the suit (Pg 1 - Vol 1) (also annexed herewith as annexure - A) and any other UIs/apps/websites notified by the plaintiff by filing of an affidavit.

41. The defendant no.2, their directors, partners, proprietors, officers, affiliates, servants, employees, and all others in capacity of principal or agent acting for and, on their behalf, or anyone claiming through, by or under it, are directed to disclose the following information of the defendant no.1 (and any such other websites/UIs which are discovered during the course of the proceedings and notified on Affidavit by the plaintiff to have been infringing/ authorizing the infringement of the plaintiff's exclusive rights, copyrights and broadcast reproduction rights):

- A. Complete details (such as name, address, email address, phone number, IP address etc.) of the defendant no.1 (and any such other websites/UIs which are discovered during the course of the proceedings and notified on Affidavit by the plaintiff to have been infringing/ authorizing the infringement of the plaintiff's exclusive rights, copyrights).
- B. Mode of payment along with payment details used for registration of domain name by the registrant i.e., defendant no.1 (and any such other websites/UIs which are discovered during the course of the proceedings and notified on Affidavit by the plaintiff to have been





infringing/ authorizing the infringement of the plaintiff's exclusive rights, copyrights).

42. The defendants no. 3 to 11 their directors, partners, proprietors, officers, affiliates, servants, employees, and all others in capacity of principal or agent acting for and, on their behalf, or anyone claiming through, by or under it, are directed to block access to the various associated websites, their URLs and the respective UIs as filed along with the suit (Pg 1 - Vol 1) (also annexed herewith as annexure - A) and any other apps/websites notified by the plaintiff by filing of an affidavit .

43. Further, the plaintiff shall, within one week of having filed such an affidavit in terms of paragraphs 40, 41 and 42 above, move an appropriate application for impleadment of the aforementioned websites/UIs notified by the plaintiff.

44. Defendants no. 12 and 13 are further directed to take immediate steps and issue requisite notifications within five working days, calling upon various internet and telecom service providers registered under them to block the aforementioned websites/UIs identified by the plaintiff.

45. Defendant no. 14 is further directed to freeze the defendant no.1's account (<https://www.paypal.me/TajkirMohammadTanvir>) and disclose the complete account statement (in sealed cover), the full Know Your Customer (KYC) details of the defendant no.1, including but not limited to the identity, address, and contact information associated with the defendant no.1's PayPal account.

46. Compliance under Order XXXIX Rule 3 of the Code of Civil Procedure, 1908 (CPC) be done within one (1) week from today.



47. List before the Joint Registrar on 4<sup>th</sup> December, 2024 for completion of service and pleadings.

48. List before the Court on 27<sup>th</sup> February, 2025.

**OCTOBER 25, 2024**

*PB*

**AMIT BANSAL, J**





## ANNEXURE-A

### LIST OF WEBSITES / DOMAINS PROVIDING ACCESS TO THE .APK FILES OF THE IMPUGNED APPLICATION

S. NO.	WEBSITES
1.	<a href="https://bit.ly/king33">https://bit.ly/king33</a>
2.	<a href="http://secure.sept2024.xyz">http://secure.sept2024.xyz</a>
3.	<a href="http://nasi.newkings24.xyz">http://nasi.newkings24.xyz</a>
4.	<a href="http://up.newkings24.xyz">http://up.newkings24.xyz</a>
5.	<a href="http://go2100ogle.xyz">http://go2100ogle.xyz</a>
6.	<a href="http://info.newkings24.xyz">http://info.newkings24.xyz</a>
7.	<a href="http://up2.newkings24.xyz">http://up2.newkings24.xyz</a>

CODE: 50000.01

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

CS (COMM) NO. \_\_\_\_ OF 2024

IN THE MATTER OF:

Star India Pvt. Ltd.

Star House, Urmi Estate,

95, Ganpatrao Kadam Marg,

Lower Parel (W),

Mumbai- 400013

Also, at:

Vatika Business Centre, Thapar House,

Gate No. 1, Eastern &amp; Central Wing

3rd Floor, 124 Janpath

New Delhi -110001

Email: hitender.adlakha@disney.com

Mobile Number: +91 9315762402

...Plaintiff

Versus

1. Tajkir Mohammad Tanvir  
(King's Pro+ Application)  
Associate domains:
  - a) <https://bit.ly/king33>
  - b) <http://secure.sept2024.xyz>;
  - c) <http://nasi.newkings24.xyz>;
  - d) <http://up.newkings24.xyz>;
  - e) <http://go2100ogle.xyz>;

f) <http://info.newkings24.xyz>;

g) <http://up2.newkings24.xyz>;

Email: [tajkir93@gmail.com](mailto:tajkir93@gmail.com)

Contact: +971 52 504 2898

2. Name Cheap Inc.

Module 403, Tidel Park

Coimbatore Ltd Elcosez Aerodrom

Coimbatore, TN - 641014

Email: [legalandabuse@namecheap.com](mailto:legalandabuse@namecheap.com);

[support@namecheap.com](mailto:support@namecheap.com),

[grievance.officer@namecheap.com](mailto:grievance.officer@namecheap.com) ; [abuse@namecheap.com](mailto:abuse@namecheap.com)

3. Atria Convergence Technologies Private Limited

99A/113A, Manorayana Palya

R.T. Nagar Bangalore – 560032

Also, at:

2<sup>nd</sup> and 3<sup>rd</sup> Floor, No. 1,

Indian Express Building, Queen's Road,

Bangalore – 560001, Karnataka

Email: [nodal.term@actcorp.in](mailto:nodal.term@actcorp.in), [nodalofficer.ncr@actcorp.in](mailto:nodalofficer.ncr@actcorp.in),

[jitesh.chathambil@actcorp.in](mailto:jitesh.chathambil@actcorp.in)

4. Bharat Sanchar Nigam Ltd

Bharat Sanchar Bhawan, Regulation Cell

5th floor, Harish Chandra Mathur Lane

Janpath, New Delhi -110001

E-mail: [ddg\\_reg@bsnl.co.in](mailto:ddg_reg@bsnl.co.in), [sbkhare@bsnl.co.in](mailto:sbkhare@bsnl.co.in),

[averma@bsnl.co.in](mailto:averma@bsnl.co.in), [sushmamishra71@gmail.com](mailto:sushmamishra71@gmail.com)

5. Bharti Airtel Ltd.  
Airtel Center Plot No. 16,  
Udyog Vihar, Phase-IV, Gurugram – 122015, India  
E-mail: amit.bhatia@airtel.com
  
6. Hathway Cable & Datacom Pvt. Ltd.  
'Rahejas', 4 floor, Main Avenue  
Santacruz (W), Mumbai-40054  
E-mail: ajay.singh@hathway.net, dulal@hathway.net,  
sudhir.shetye@hathway.net
  
7. Mahanagar Telephone Nigam Ltd.  
5<sup>th</sup> Floor, Mahanagar Doorsanchar Sadan  
9, CGO Complex, Lodhi Road  
New Delhi – 110003  
E-mail: raco.mtnl@gmail.com, mtnlcsco@gmail.com,  
gmracomtnl@gmail.com
  
8. Reliance Jio Infocomm Limited  
Corporate Office:5th Floor, Maker Chambers IV,  
222, Nariman Point, Mumbai – 400 021  
Maharashtra, India  
Tel: +91-22-44770000  
E-mail: jio.investorrelations@ril.com  
care@jio.com, Hitesh.marthak@relianceada.com,  
Kapoor.guliani@ril.com, mahipal.singh@ril.com,  
sunil.kr.gupta@ril.com, shilpi.kant@ril.com,  
jyoti.jain@ril.com, rudraksha.sinha@ril.com,  
neelakantan.an@ril.com

9. Shyam Spectra Pvt. Ltd.  
Plot No. 258,  
Okhla Industrial Estate, Phase III,  
New Delhi – 110020
- Also, at:  
Plot No. 21-22, 3rd Floor,  
Udyog Vihar, Phase IV,  
Gurugram -122015  
E-mail: info@spectra.co, compliance@spectra.co
10. Tata Teleservices Ltd.  
A, E & F Blocks Voltas Premises - T. B. Kadam Marg  
Chinchpokli, Mumbai – 400033  
E-mail: pravin.jogani@tatatel.co.in, anand.dalal@tatatel.co.in,  
satya.yadav@tatatel.co.in
11. Vodafone Idea Limited  
Vodafone House,  
Peninsula Corporate Park,  
Ganpatrao Kadam Marg,  
Lower Parel, Mumbai - 400 013 India
- Also, at:  
Birla Centurion,  
10th Floor, Plot no.794,  
B Wing, Pandurang Budhkar Marg,  
Worli, Mumbai - 400 030 India  
E-mail: smitha.menon@vodafoneidea.com,  
pankaj.kapdeo@vodafoneidea.com,  
Radhika.gokhale@vodafoneidea.com,

sheena.thukral@vodafoneidea.com,  
lavati.sairam@vodafoneidea.com  
Florenzia.deproses@vodafoneidea.com  
Sanjeet.sarkar@vodafoneidea.com  
Arun.madhav@vodafoneidea.com

12. Department of Telecommunications  
Through Secretary,  
Ministry of Communications and IT,  
20, Sanchar Bhawan, Ashoka Road,  
New Delhi – 110001  
E-mail: secy-dot@nic.in, dirids2-dot@nic.in
  
13. 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: cyberlaw-legal@meity.gov.in;  
gccyberlaw@meity.gov.in;  
pkumar@meity.gov.in, sathya.s@meity.gov.in
  
14. PayPal Payments Private Limited  
Godrej BKC, Unit No. 4, 3rd floor, Plot C68,  
G Block, CTS no. 4207, Bandra Kurla complex,  
Bandra(East), Mumbai, Bandra,  
Maharashtra, India, 400051  
Email: subhchauhan@paypal.com

Also at:  
2211 North First Street  
San Jose, California 95131

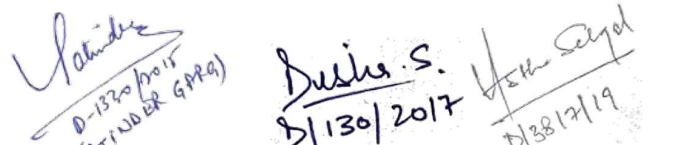


15. Ashok Kumar(s)

...Defendants

NOTE: Defendant No. 1 is the main contesting party. Defendant Nos. 2 to 14 are *pro forma* Defendants, and no formal relief is sought against them. Defendant No. 15 is Ashok Kumar(s).

Through

  
 Yashinder Garg | Disha Sharma | Astha Sehgal  
 (D/1330/2015) | (D/130/2017) | (D/3817/2019)  
 Saikrishna & Associates  
 Counsels for the Plaintiff  
 57, Jor Bagh, New Delhi- 110003  
 +919899339574  
 astha@saikrishnaassociates.com

Place: New Delhi

Date: 23rd October 2024

**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.