

By Email/DoT Website

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

No. 813-07/LM/2024-DS-II

Dated:29-03-2025

**To,
All Licensees with Internet Service Authorization**

Subject: CS(COMM) 403 of 2024; ASHIANA HOUSING LIMITED Vs. ASHOK KUMAR (UNKNOWN PERSONS) before the Hon'ble Court, South District, Saket, New Delhi.

Kindly find enclosed the Hon'ble Court order (South District, Saket, New Delhi) dated **03.01.2025** in respect of blocking all access to the websites[**2 nos**] hosted on domain names **www.ashianagroups.com** and **www.ashianaone44jaipur.com**, as mentioned in the **para 2** of the said court order.

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

Encl: A/A

Digitally signed by

SHASHI KUMAR

Date: 29-03-2025

11:58:26

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 with request to take action as per the Annexure.

ii) IT Wing of DoT for uploading this order on DoT websites please.

2 CS (COMM) 403/24

ASHIANA HOUSING LIMITED Vs. ASHOK KUMAR (UNKNOWN PERSONS)

03.01.2025

Present: Sh. Gaurav Mighlani counsel for plaintiff . (through VC)
Ms Mansi Sharma counsel for plaintiff.

Sh. Neeraj Sinha Ld. Counsel for Ministry of Information and Technology/D-5. (through VC)

The plaintiff is claiming relief of blocking of infringing domain names from D-5 as D-3 godaddy.com LLC stated that they could only restrict/suspend two infringing domain names and blocking can be done by competent government authority which in this case is D-5.

Ld. Counsel appearing for D-5 says that necessary steps shall be taken for blocking all access to the websites hosted on domain names www.ashianagroups.com and www.ashianaone44jaipur.com.
Let the needful be done.

D-1 and D-2 are not served. Plaintiff shall take steps for service upon D-1 and D-2 by appropriate means.

Interim order to continue.

Renotify the matter on **04.02.2025**.

(Anuradha Shukla Bhardwaj)

District Judge

(Commercial Court-02)

South Distt., Saket, New Delhi/03.01.2025

anuradha
shukla
Digitally
signed by
anuradha
shukla
Date:
2025.01.03
14:52:26
+0530

IN THE COURT OF LD. DISTRICT JUDGE (COMMERCIAL)
(SOUTH), SAKET DISTRICT COURT, NEW DELHI

C.S.(COMM.) No. 403 of 2024

In the matter of:

ASHIANA HOUSING LIMITED

... PLAINTIFF

Versus

BHAGWATI PRASAD & ORS.

...DEFENDANTS

AMENDED MEMO OF PARTIES

Ashiana Housing Limited
Unit 304, Plot, Southern Park,
Saket District Centre,
Sector 6, Saket,
New Delhi – 110017

...Plaintiff

v/s.

Bhagwati Prasad
Vikhroli East
Mumbai
Maharashtra – 400 079
Email: mogli.dude02@gmail.com

...Defendant no. 1

Shivani Singh
Shivani Singh
Centurian Park Lowrise
Sector 1, Noida Extension,
Uttar Pradesh – 201 306
Email: shivani000989@gmail.com

...Defendant no. 2

Godaddy.com LLC
14455 North Hayden Road
Suite 219 Scottsdale, AZ 85260
United States of America
trademarkclaims@godaddy.com

...Defendant no. 3

The Department of Telecommunications [DoT]

Through its Secretary,
Ministry of Communications, Government of India,
Sanchar Bhawan
20, Ashoka Road,
New Delhi – 110001
Email: adetds2-dot@gov.in, secy-dot@nic.in,
dirids3-dot@nic.in, adetds3.hq-dot@gov.in,
members-dot@nic.in

....Defendant no. 4

**Ministry of Electronics and Information
Technology (MeitY)**

Through the Division of Cyber Laws &
E-Security Government of India,
Electronics Niketan,
6, CGO Complex, Lodhi Road,
New Delhi – 110003
Email: webmaster.meity@gov.in,
cyberlaw-legal@meity.gov.in, gccyberlaw@meity.gov.in

....Defendant no. 5



(M.K. MIGLANI) (GAURAV MIGLANI)

Advocates for the Plaintiffs

313, Best Sky Tower,

Netaji Subhash Place, Pitampura, Delhi – 110034, India

Ph: +91 9871304455 Email: gaurav@worldwideintellec.com

Place: New Delhi

Date: 06/11/2024

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.