

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-32/2023-DS-II

Dated: 07.02.2024

To,

All Internet Service Licensee's

**Subject: CS(COMM) 469/2023 - GRIP INVEST TECHNOLOGIES PRIVATE LIMITED
VS. ASHOK KUMAR & ORS., Before Hon'ble Delhi High Court.**

Kindly refer to the following:

- (i) Hon'ble High Court order dated **30.10.2023** on the subject.
- (ii) Please refer **Para 10** and **para 11** of said court order regarding blocking of **04 websites** identified by plaintiff
- (iii) MeitY letter dated **02.02.2024** to DOT to block the **04** websites.

(Copies enclosed for ready reference)

2. In view of the above, all the Internet Service licensees are hereby instructed to take immediate necessary action for blocking, above websites for compliance of the said Court order.



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) Aiswarya Debadarshini (Aiswarya@fiduslawchambers.com) Plaintiff Advocate for kind information.
 - a) Take action as per Annexure.
- (iii) Harish Vaidyanathan Shankar(hvscgsdhc@gmail.com), Central Govt. Standing Counsel [Delhi High Court], Senior Penal Counsel for kind information.
- (iv) IT wing of DoT for uploading on DoT websites please.



\$~23

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 469/2023, I.A. 21314/2023, 21318/2023 & 21354/2023**
GRIP INVEST TECHNOLOGIES
PRIVATE LIMITED Plaintiff

Through: Mr. Kaustubh Rai, Adv.

Versus

ASHOK KUMAR & ORS. Defendants
Through: Ms. Hetu Arora Sethi, ASC GNCTD
with Mr. Arjun Basra, Adv. (M:
9971690867).

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% **30.10.2023**

1. This hearing has been done through hybrid mode.

I.A. 21354/2023 (u/O 1 Rule 10 CPC) and I.A. 21318/2023 (u/O VI Rule 17 CPC)

2. The present suit was filed by the Plaintiff- Grip Invest Technologies Pvt. Ltd. seeking protection of its website content at the domain name “http://www.gripinvest.in”. The websites against whom the original suit was filed are “http://upstocksinvest.com”; and “<https://stockedges.com>”, which were registered by domain name registrar M/s NameSilo, LLC.

3. After having perused the documents and heard the ld. Counsel for the Plaintiff on 19th July, 2023, the Court had passed the following order:-

“9. Accordingly, it is directed that the concerned Delhi Police cell or office, of the appropriate jurisdiction



shall investigate into the matter and file a status report at least one week before the next date of hearing. The said investigation shall include finding out as to who are the individuals who are operating these websites, whether any amounts have been collected by these individuals or entities, location of the said entities/individuals and contact details, if any.

10. Considering the fact that the websites are almost identical and in fact even uses the names of the founders of the Plaintiff. It is clear that the intention of the websites is to mislead the general public that the Defendant's websites are also set up by the Plaintiff. Such illegality cannot be allowed to continue even for a single day. Accordingly, the Defendant's websites www.upstocksinvest.com and www.stockedges.com shall stand restrained from using any content or deceptively similar content of the Plaintiff's websites. MeitY is directed to immediately issue orders for blocking of these two websites.

11. Additionally, the Plaintiff is permitted to write to the DNR GoDaddy.com LLC, in order to obtain details of the registrant and contact details of these domain name registrants. GoDaddy.com LLC shall also furnish to the Plaintiff any other details including credit card or cloud server details, etc. which may be available with it within a period of one week. The Plaintiff is also permitted to implead GoDaddy.com LLC as a Defendant in the present suit. Let steps be carried out by the Plaintiff for the same. Let amended memo of parties, be filed before the next date of hearing.

12. The said e-mail shall be sent to the Grievance Office at Goddady.com.

13. The present order be served upon Mr. Harish V. Shankar, Id. CGSC for communication to MeitY and implementation of the same."

4. Ld. Counsel for the Plaintiff submits that pursuant to the order, MeitY



has issued blocking orders and the said two websites have been blocked. However, the Plaintiff has now come across further domain names/websites which have identical content as that of the Plaintiff's website. The details of the same are as under:-

S.No.	Infringing Website	Domain Name Registrar as per "Whois"
1.	https://indiastocksbrokerage.com	eNom, LLC
2.	https://metrostockmarkettrading.com	NameSilo, LLC
3.	https://tradingonlinesharemarket.com	Tucows Domain Inc.
4.	https://indiastocksexchange.com	eNom, LLC

5. The Plaintiff, thus, seeks amendment of the plaint and impleadment of further Defendants including the Registrar. Accordingly, the impleadment application under Order I Rule 10 is allowed and Registrars of the four new domain names are impleaded as Defendant Nos. 3,4 and 5. In addition, the said websites are impleaded as Defendant Nos. 6,7,8 and 9.

6. Let the amended memo of parties be filed.

7. Applications are allowed.

8. The amended plaint is also now taken on record in respect of these four domains.

CS(COMM)-469/2023 and I.A. 21314/2023

9. A perusal of the website would show that the Defendants' websites are absolutely identical in content, look and color *etc.* to the Plaintiff's website. Some of the images are extracted below:-



Table 1

<p style="text-align: center;">Plaintiff</p>	<p style="text-align: center;">https://indiastocksbrokerage.com</p>



Table 2

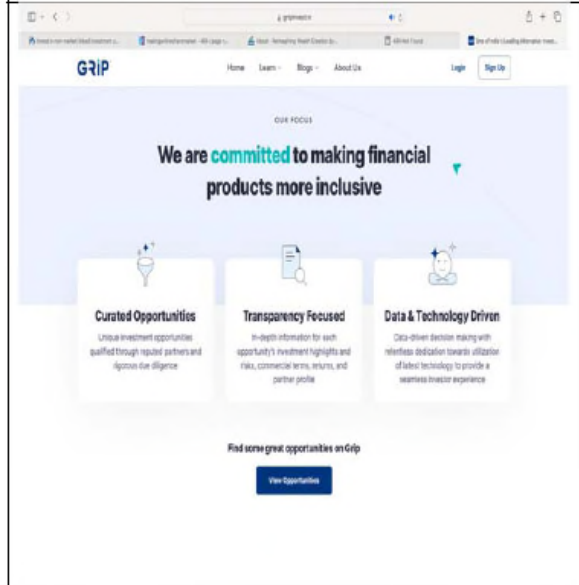
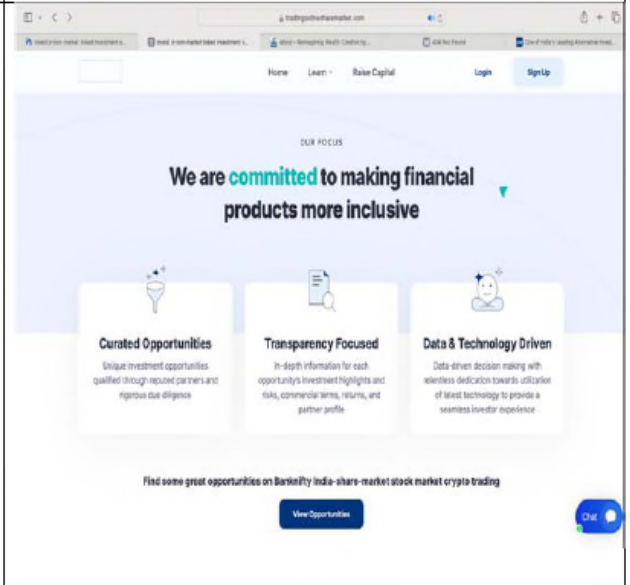
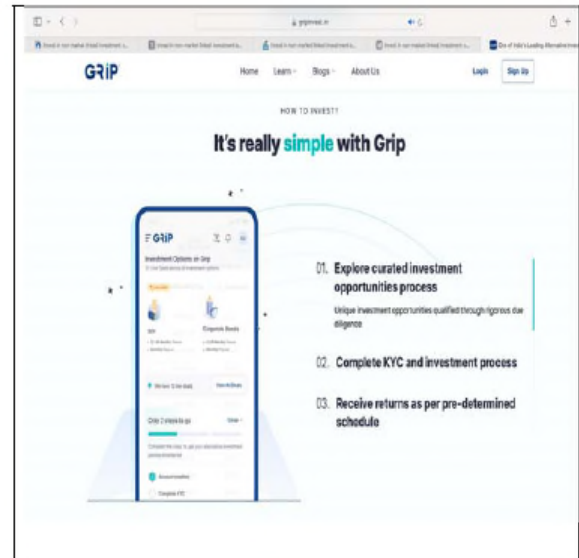
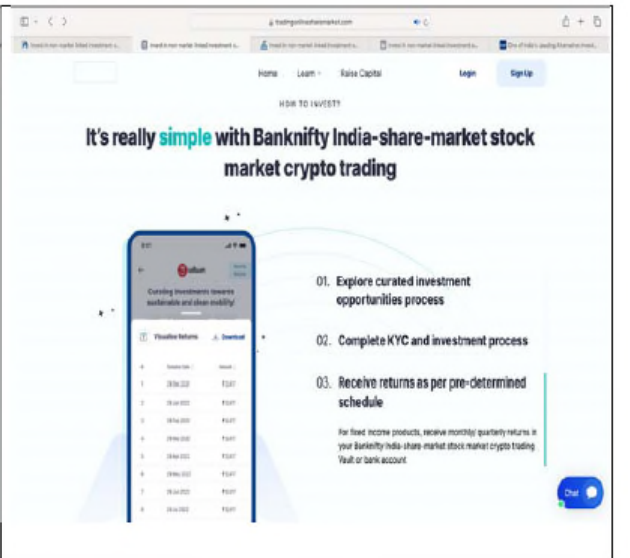
Plaintiff	https://tradingonlinesharemarket.com/homes
 <p>The screenshot shows the GRIP website home page. The main heading is "We are committed to making financial products more inclusive". Below this, there are three columns: "Curated Opportunities", "Transparency Focused", and "Data & Technology Driven". At the bottom, there is a button that says "View Opportunities".</p>	 <p>The screenshot shows the Banknifty website home page. The main heading is "We are committed to making financial products more inclusive". Below this, there are three columns: "Curated Opportunities", "Transparency Focused", and "Data & Technology Driven". At the bottom, there is a button that says "View Opportunities".</p>
 <p>The screenshot shows the GRIP website "HOW TO INVEST?" page. The main heading is "It's really simple with Grip". Below this, there is a smartphone displaying the GRIP app interface. To the right of the smartphone, there are three numbered steps: "01. Explore curated investment opportunities process", "02. Complete KYC and investment process", and "03. Receive returns as per pre-determined schedule".</p>	 <p>The screenshot shows the Banknifty website "HOW TO INVEST?" page. The main heading is "It's really simple with Banknifty India-share-market stock market crypto trading". Below this, there is a smartphone displaying the Banknifty app interface. To the right of the smartphone, there are three numbered steps: "01. Explore curated investment opportunities process", "02. Complete KYC and investment process", and "03. Receive returns as per pre-determined schedule".</p>



Table 3

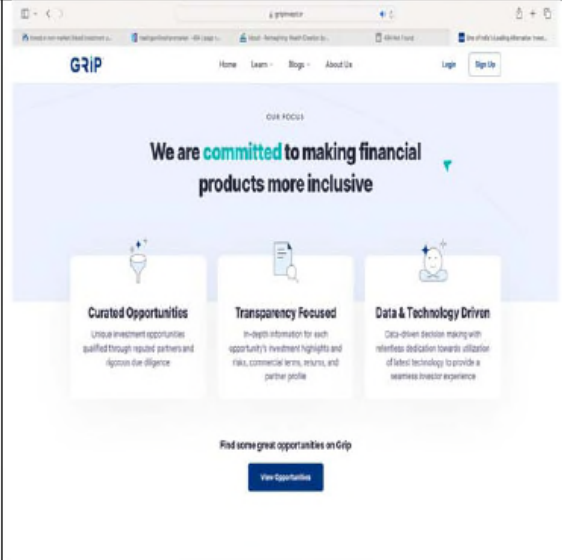
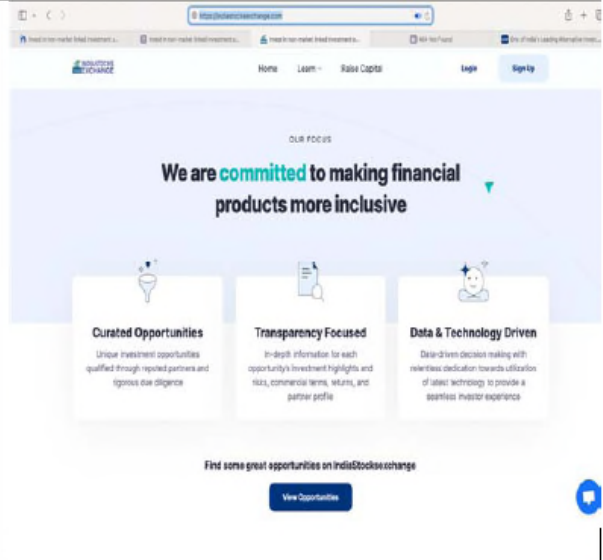
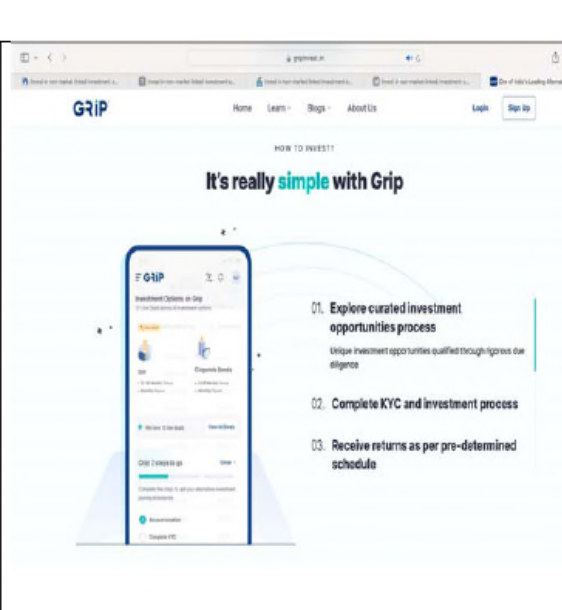
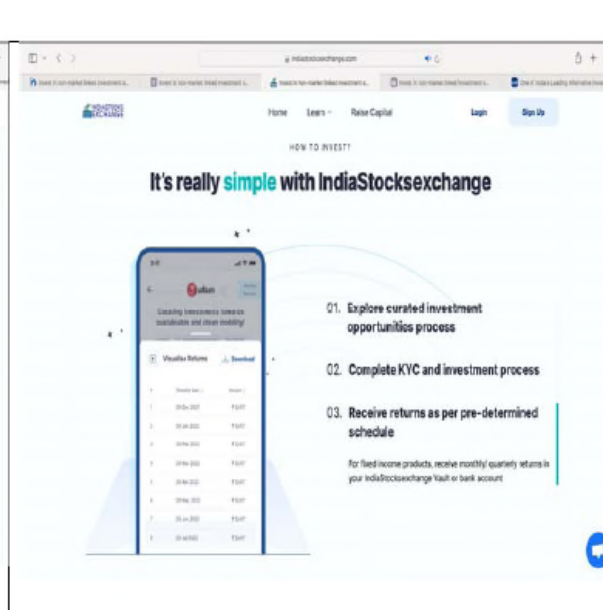
Plaintiff	https://indiastocksexchange.com
 <p>The screenshot shows the GRIP website homepage. The main heading reads "We are committed to making financial products more inclusive". Below this, there are three columns: "Curated Opportunities", "Transparency Focused", and "Data & Technology Driven". A button at the bottom says "View Opportunities".</p>	 <p>The screenshot shows the IndiaStockExchange website homepage. The main heading reads "We are committed to making financial products more inclusive". Below this, there are three columns: "Curated Opportunities", "Transparency Focused", and "Data & Technology Driven". A button at the bottom says "View Opportunities".</p>
 <p>The screenshot shows the GRIP website "How to Invest" page. The heading is "It's really simple with Grip". It features a mobile app interface on the left and a three-step process on the right: 01. Explore curated investment opportunities process, 02. Complete KYC and investment process, and 03. Receive returns as per pre-determined schedule.</p>	 <p>The screenshot shows the IndiaStockExchange website "How to Invest" page. The heading is "It's really simple with IndiaStockexchange". It features a mobile app interface on the left and a three-step process on the right: 01. Explore curated investment opportunities process, 02. Complete KYC and investment process, and 03. Receive returns as per pre-determined schedule. A note below the steps says "For fixed income products, receive monthly/quarterly returns in your IndiaStockexchange Wallet or bank account".</p>



Table 4

Plaintiff	https://metrostockmarkettrading.com

10. The Defendant’s websites also use the photographs of the Plaintiff’s promoters. Such brazen illegality cannot be permitted to continue. Accordingly, the said four websites shall be locked and suspended with



immediate effect. The said websites and DNRs are set out below:

S.No.	Infringing Website	Domain Name Registrar as per "Whois"
1.	https://indiastocksbrokerage.com	eNom, LLC
2.	https://metrostockmarkettrading.com	NameSilo, LLC
3.	https://tradingonlinesharemarket.com	Tucows Domain Inc.
4.	https://indiastocksexchange.com	eNom, LLC

11. Let blocking orders be issued by MeitY on an expeditious basis. In addition, the Registrars of these domain names shall lock and suspend the said domain names and also furnish to the Plaintiff within one week, the details of the persons who have registered these offending domain names.

12. It is informed by Id. Counsel for the Plaintiff that eNom, LLC and Tucows Domain Inc. have responded to the Plaintiff's notices and have kept the domain names under lock. However, NameSilo, LLC has not responded at all.

13. Considering this position, the said domain name registrars are given another opportunity to lock and suspend as also to furnish all the details including email addresses, contact details, credit card details, phone numbers, postal address which may be available of the Defendants to the Plaintiff's Counsel within two weeks. If the compliance is not affected by the Registrars, the Court would be compelled to take stringent action against the said Registrars.

14. In addition, the cyber cell may also include the above stated four new



websites *i.e.*, <https://indiastockbrokerage.com>,
<https://indiastockexchange.com>, <https://tradingonlinesharemarket.com/homes>
and <https://metrostockmarkettrading.com> in its investigation and file a
status report by the next date of hearing. Summons and notices are permitted
to be served by email. Compliance of Order 39 Rule 3 CPC within one week
via email permitted.

15. List before the Joint Registrar on 12th December, 2023.

16. List before the Court on 23rd January, 2024. The date already fixed
i.e 3rd November, 2023 stand cancelled.

PRATHIBA M. SINGH, J.

OCTOBER 30, 2023

mr/ks

File No. 4(32)/2023-CL
Government of India
Ministry of Electronics and Information Technology,
Electronic Niketan, 6, CGO Complex,
Lodhi Road, New Delhi – 110 003

Dated: 2nd Feb, 2024

Office Memorandum

Subject: Order dated 30.10.2023 of the Hon'ble High Court of New Delhi in CS (COMM) 469 of 2023, Grip Invest Technologies Private Limited Versus Ashok Kumar & Ors — Request for blocking of the website <https://indiastocksbrokerage.com>, <https://metrostockmarkettrading.com>, <https://tradingonlinesharemarket.com> and <https://indiastocksexchange.com>

2. The Plaintiff (Grip Invest Technologies Private Limited) in the captioned matter has filed a suit before the Hon'ble High Court of Delhi. The Hon'ble High Court of Delhi has directed for blocking of certain domain(s) as per Order dated 30.10.2023.

3. In the said order, the Hon'ble High Court had passed *ad interim* orders in terms of the plaintiff's prayer to restrain defendant's website from using any content or deceptively similar content of the Plaintiff's website. Attention is invited to the following extract from the said order:

10. The Defendant's websites also use the photographs of the Plaintiff's promoters. Such brazen illegality cannot be permitted to continue. Accordingly, the said four websites shall be locked and suspended with immediate effect. The said websites and DNRs are set out below:

S.No.	Infringing Website	Domain Name Registrar as per "Whois"
1.	https://indiastocksbrokerage.com	eNom, LLC
2.	https://metrostockmarkettrading.com	NameSilo, LLC
3.	https://tradingonlinesharemarket.com	Tucows Domain Inc.
4.	https://indiastocksexchange.com	eNom, LLC

11. Let blocking orders be issued by MeitY on an expeditious basis. In addition, the Registrars of these domain names shall lock and suspend the said domain names

and also furnish to the Plaintiff within one week, the details of the persons who have registered these offending domain names.

4. In this connection, it is pertinent that Internet Service Providers enter into a license agreement and register themselves with the Department of Telecommunications.

5. In view of the above, the undersigned is directed to request the Department of Telecommunications to take necessary action to give effect to the direction contained in the Hon'ble High Court's said order by blocking the said website for the infringement as represented by the plaintiff.

Encl.: As above



चारु सिंह मुण्डा/CHARU SINGH MUNDA
वैज्ञानिक 'सी' /Scientist 'C'
भारत सरकार / Government of India
इलेक्ट्रॉनिकी और सूचना प्रौद्योगिकी मंत्रालय
Ministry of Electronics and Information Technology
इलेक्ट्रॉनिक्स निकेतन / Electronics Niketan
6, सीजीओ कॉम्प्लेक्स, लोधी रोड/6, CGO Complex, Lodhi Road
नई दिल्ली- 110003 / New Delhi- 110003

(Charu Singh Munda)

Scientist-C

Cyber Law Division

Email: cs.munda@meity.gov.in

To:
Director (DS-II)
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road
New Delhi – 110 001

Copy to:
Secretary
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road
New Delhi – 110 001

Fwd: URGENT - REQUIRE UPDATE ON COMPLAINT | CS(COMM) 469/2023 - GRIP INVEST TECHNOLOGIES PRIVATE LIMITED VS. ASHOK KUMAR & ORS. | Before Hon'ble Delhi High Court

PK Pramod Kumar <pramod.kumar44@gov.in>

Mon, 05 Feb 2024 5:52:45 PM +0530 •

To "Vivek Narayan" <ddgds-dot@nic.in>, "Subodh Saxena Director DS II" <dirds2-dot@nic.in>, "Abhinesh Meena" <abhinesh.meena@gov.in>

Cc "ddgpg-dot" <ddgpg-dot@nic.in>, "Ashok KumarPateshwary" <ak.pateshwary@gov.in>, "Amar Nath" <amar.nath88@nic.in>

Sir,

Please refer to the trailing email on the above-mentioned subject. The case pertains to the blocking of websites/URLs/domains regarding the infringement of copyright/ trademark/ patent/ exclusive rights of the plaintiff. Since such matters are being dealt with by the DS Wing of DoT, it is requested to take necessary action in the matter please.

Regards

US(PG & Legal) PG Wing, DoT.

From: "ddgpg-dot" <ddgpg-dot@nic.in>

To: "Ashok KumarPateshwary" <ak.pateshwary@gov.in>, "Pramod Kumar" <Pramod.kumar44@gov.in>

Sent: Monday, February 5, 2024 3:54:10 PM

Subject: Fwd: URGENT - REQUIRE UPDATE ON COMPLAINT | CS(COMM) 469/2023 - GRIP INVEST TECHNOLOGIES PRIVATE LIMITED VS. ASHOK KUMAR & ORS. | Before Hon'ble Delhi High Court

From: "Dr. Neeraj Mittal" <secy-dot@nic.in>

To: "Ajay Kumar Sahu" <members-dot@nic.in>, "ddgpg-dot" <ddgpg-dot@nic.in>

Sent: Monday, February 5, 2024 12:21:27 PM

Subject: Fwd: URGENT - REQUIRE UPDATE ON COMPLAINT | CS(COMM) 469/2023 - GRIP INVEST TECHNOLOGIES PRIVATE LIMITED VS. ASHOK KUMAR & ORS. | Before Hon'ble Delhi High Court

Dr. Neeraj Mittal

Secretary

Department of Telecommunications, Ministry of Communications

Sanchar Bhavan, 20 Ashoka Road, New Delhi - 110001

Phone: +91-11-23719898, Intercom: 210

Email: secy-dot@nic.in, Web: <https://dot.gov.in/>



From: hvscgscdhc@gmail.com

To: "Cyber Law Legal" <cyberlaw-legal@meity.gov.in>, "Dr Sandip Chatterjee MeitY" <Sandip@meity.gov.in>, "Rakesh Maheshwari MeitY" <rakesh@meity.gov.in>, "V Chinnasamy" <chinnasamy.v@meity.gov.in>, "Ritesh Kumar Sahu" <ritesh.s@meity.gov.in>, "sakshi bhayana" <sakshi.bhayana@govcontractor.in>, "Subodh Saxena Director DS II" <dirds2-dot@nic.in>, "Abhinesh Meena" <abhinesh.meena@gov.in>, "Dr. Neeraj Mittal" <secy-dot@nic.in>, "Sh Abhinesh Meena" <adetds2-dot@gov.in>, "Dr. Sandip Chatterjee" <gccyberlaw@meity.gov.in>, "N Samaya Balan" <ns.balan@meity.gov.in>, "Prfulla Kumar" <pkumar@meity.gov.in>, "Harendra KUMAR" <

dot@gov.in>, "UTTAMCHAND MEENA" <adgds2-dot@gov.in>, nalininegi1982@gmail.com

Sent: Saturday, February 3, 2024 6:42:36 PM

Subject: Fwd: URGENT - REQUIRE UPDATE ON COMPLAINEE | CS(COMM) 469/2023 - GRIP INVEST TECHNOLOGIES PRIVATE LIMITED VS. ASHOK KUMAR & ORS. | Before Hon'ble Delhi High Court

Dear Sir / Ma'am,

URGENT - GENTLE REMINDER

The Hon'ble High Court of Delhi has directed for blocking of certain domain(s) as per Order dated 30.10.2023 and the following are as follows:

- (A) <https://indiastocksbrokerage.com>
- (B) <https://metrostockmarkettrading.com>
- (C) <https://tradingonlinesharemarket.com>

Kindly do the needful **at the earliest** to avoid any adverse orders from the Hon'ble Court. Please update the office of the undersigned regarding the compliance.

Encl: Copy of Order dated 30.10.2023.

----- Forwarded message -----

From: **Harish Vaidyanathan Shankar** <hvscgscdhc@gmail.com>

Date: Wed, 31 Jan 2024 at 19:12

Subject: URGENT - REQUIRE UPDATE ON COMPLAINEE | CS(COMM) 469/2023 - GRIP INVEST TECHNOLOGIES PRIVATE LIMITED VS. ASHOK KUMAR & ORS. | Before Hon'ble Delhi High Court

To: Cyber Law Legal <cyberlaw-legal@meity.gov.in>, Dr Sandip Chatterjee MeitY <Sandip@meity.gov.in>, Rakesh Maheshwari MeitY <rakesh@meity.gov.in>, V Chinnasamy <chinnasamy.v@meity.gov.in>, Ritesh Kumar Sahu <ritesh.s@meity.gov.in>, Sakshi Bhayana <sakshi.bhayana@govcontractor.in>, Subodh DS <dirds2-dot@nic.in>, Abhinesh Meena <abhinesh.meena@gov.in>, K Rajaraman <secy-dot@nic.in>, HARENDRA HARENDRA <adetds2-dot@gov.in>, Rakesh Maheshwari <gccyberlaw@meity.gov.in>, N Samaya Balan <ns.balan@meity.gov.in>, Prafulla Kumar <pkumar@meity.gov.in>, <adg2ds2-dot@gov.in>, <adgds2-dot@gov.in>, nalininegi1982 <nalininegi1982@gmail.com>

Dear Sir / Ma'am,

URGENT

The Hon'ble High Court of Delhi has directed for blocking of certain domain(s) as per Order dated 30.10.2023 and the following are as follows:

- (A) <https://indiastocksbrokerage.com>
- (B) <https://metrostockmarkettrading.com>
- (C) <https://tradingonlinesharemarket.com>

Kindly do the needful **at the earliest** to avoid any adverse orders from the Hon'ble Court. Please update the office of the undersigned regarding the compliance.

Encl: Copy of Order dated 30.10.2023.

--

Regards,

Harish Vaidyanathan Shankar

Central Govt. Standing Counsel [Delhi High Court]

Senior Panel Counsel [Armed Forces Tribunal, Principal Bench, Delhi]

Office: Service Road Entrance, 76, Sunder Nagar, Near Delhi Zoo, New Delhi - 110 003

Mob: (+91) 9810788606

Office: (+91) 11 41553116 / (+91) 11 35687606

Email: hvscgscdhc@gmail.com

--

Regards,

Harish Vaidyanathan Shankar

Central Govt. Standing Counsel [Delhi High Court]
Senior Panel Counsel [Armed Forces Tribunal, Principal Bench, Delhi]
Office: Service Road Entrance, 76, Sunder Nagar, Near Delhi Zoo, New Delhi - 110 003
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Office: (+91) 11 41553116 / (+91) 11 35687606
Email: hvscgscdhc@gmail.com

☹ **1 Attachment(s)** • [Download as Zip](#)



Order [30.10.2023] - CS (...pdf
559.2 KB •

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.