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

+ **CS(COMM) 945/2024 & I.A. 43343/2024**

STAR INDIA PRIVATE LIMITED Plaintiff

Through: Ms. Isha Sharma, Advocate

versus

MR TAJKIR MOHAMMAD TANVIR AND ORS

.....Defendants

Through: None

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% 21.08.2025

1. 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 ['Act of 1957'] against Defendant No.1, which is a rogue app and associated websites such as Defendant Nos. 16 and 17 that substantially indulge in online piracy by making Plaintiff's original content available for download and otherwise providing access to infringing and illegal content.

Factual Matrix

2. The relevant facts, as stated in the pleadings are as under: -

2.1. The Plaintiff is a leading entertainment and media company in India engaged, inter-alia, in the production of popular content broadcast on its STAR channels. The Plaintiff is also an exclusive right owner for several work broadcasted on its STAR channels. The Plaintiff along with its affiliates, is the owner of an extensive portfolio of more than seventy [70] channels in



over nine [9] languages. The STAR Channels and the content aired therein occupy a commanding position and have acquired tremendous goodwill and reputation in the entertainment industry and amongst the general public. By virtue of the necessary uplink and downlink permissions issued by the Ministry of Information and Broadcasting, Government of India [in short, 'MIB'], Plaintiff has the sole and exclusive right to broadcast and distribute STAR Channels in India.

2.2. Plaintiff owns and operates the online audio-visual streaming platform and website, www.hotstar.com, and mobile application 'Disney + Hotstar' [hereinafter referred to as 'Disney + Hotstar'].

'Disney + Hotstar' enables its viewers to watch television serials and programs, films, sports content including live sports content, trailers of upcoming films and television serials, international content including viewing schedules of content offered etc., and currently offers over 1,00,000 hours of content comprising drama and movies across nine (9) languages, and every major sporting event covered live/deferred.

2.3. The Plaintiff is the producer of various TV shows, films, and/or web series, which are communicated through the STAR Channels and/or 'Disney + Hotstar', and have the exclusive distribution rights to publicly exhibit and communicate the said content through any medium or mode, including but not limited to the STAR Channels or 'Disney + Hotstar'. These TV Shows, films and web-series to which the Plaintiff has rights are hereinafter referred to as 'Plaintiff's Works'. They are protected as 'cinematograph films' under Section 2(f) read with Section 13 of the Act of 1957. The list of the content/work, which the Plaintiff has produced and/or has exclusive distribution rights over is provided at paragraph no. 11 of the plaint.



2.4. The present suit is concerned with broadcasting rights of the content on ‘Disney+ Hotstar’ and the STAR Channels produced by the Plaintiff. It is the case of the Plaintiffs that they are the producers of the cinematograph films and as such have exclusive rights enumerated under Section 14(d) of the Act of 1957, including inter-alia to publicly exhibit and communicate the said content/works through any media. It is stated that by virtue of Section 37 of the Act of 1957, the exclusive right to broadcast, re-broadcast, transmit and communicate to the public the STAR Channels and the content broadcast therein vest exclusively with the Plaintiff.

2.5. It is averred that since the Plaintiff has the exclusive rights to 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; no other entity can, without authorisation from the Plaintiff, upload, stream, make available for download, broadcast, rebroadcast, retransmit and/or communicate to the public, the ‘Plaintiffs’ Works’ through the STAR Channels and ‘Disney + Hotstar’, in any manner whatsoever, [live, delayed, repeat etc.] through any transmission platform including the internet for viewing on various devices such as computers, laptops, mobile phones, tablet computers, etc.

Cause of action against the defendants

2.6. Defendant No. 1 through its Android based application, namely King’s Pro+ [‘impugned App’/‘rogue app’] and its associated websites/URLs is indulging in repeated and egregious acts of infringement of the intellectual property rights of various rights holders, including the Plaintiff. The impugned App is actively involved in large-scale and rampant piracy of entertainment, sporting events etc., including but not limited to, those



telecasted on the Plaintiff's Disney + Hotstar platform. Defendant No.1's rogue App/impugned App showcases content under four (4) categories, viz. Sports, Movies, Series, and Apps. In the 'Sports' category, it unlawfully displays 199 channels, many of which carry the official logos of broadcasters, including the Plaintiff's 'Star Sports channels' and other renowned sports broadcasters.

2.7. The details of Defendant No.1's operations are explicitly mentioned on the YouTube page¹, available at, which are associated with the promotion and distribution of the impugned App. It is apprehended that Mr. Tajkir Mohammad Tanvir [i.e., Defendant No. 1 herein], is the owner and operator of the impugned App.

2.8. It is stated that WhatsApp chats and payment screenshots, which have annexed as part of the documents² along with this plaint, provide irrefutable evidence of multiple users engaging with this rogue/impugned application and sufficient to prove that Defendant No. 1 is making profits from the various subscriptions by users of the impugned App for gaining access to pirated content offered on it. It is stated that the payments are being processed through, inter alia, the 'PayPal' payment platform.

2.9. At the time of the filing of the suit, the impugned App was available for, and accessible on all Android devices. The said App could be accessed only after availing a subscription. The impugned App offered subscription packages under two (2) distinct categories: a) 'Premium Package', at a starting monthly subscription fee of USD 15, and b) 'Gold Package', at a starting monthly subscription fee of USD 20. These packages provided users with

¹ <https://www.youtube.com/watch?v=qmTKmLp9x9A>

² Filed at page nos. 32 to 78 of the Plaintiff's Documents filed under the cover of index dated 23.10.2024



illegal access to a wide range of Plaintiff's Work, including but not limited to live sports events, movies, series, and other forms of entertainment.

2.10. It is stated that there are rogue websites, which are involved and seem to have a common design with the creators/developers of the impugned App in infringing and/or authorising the infringement of Plaintiff's exclusive rights in the Plaintiff's work/content. The details of the rogue websites, which provide access and/or links, where the illegal and infringing copies of the content of the right owners such as the Plaintiff are stored and/or hosted are provided at paragraph no. 35 of the plaint.

2.11. Defendant No. 2 [i.e., Name Cheap Inc.] is a domain name registrar ['DNR'] and has been impleaded for the purposes of revoking/cancelling the domains of the rogue websites associated with Defendant No. 1 and also to seek disclosure of the registrant details and billing details of these domains, so that the exact identity and location of the owner of these domains can be confirmed and discerned.

2.12. Defendant Nos. 3 to 11 are various internet service providers ['ISPs'] as well as telecom service providers ['TSPs']. The Plaintiff has arrayed the said ISPs to ensure the effective implementation of the relief granted in favour of the Plaintiff for disabling access to the Defendant No. 1's impugned App and rogue websites like Defendant Nos. 16 and 17.

2.13. Defendant No. 12 i.e., Department of Telecommunications ['DoT'] and Defendant No. 13 Ministry of Electronics and Information Technology ['MeitY'] have been impleaded to assist in enforcing and ensuring compliance with the orders of injunction.

2.14. Defendant No. 14 is PayPal, which had been initially arrayed by the Plaintiff in the present suit to facilitate the identification of Defendant No. 1's



actual details and to take necessary steps to freeze the bank accounts used for collecting monies through illegal activities. This Defendant stands deleted vide order dated 12.08.2025.

2.15. Defendant No. 15 is Ashok Kumar/John Doe.

2.16. Defendant Nos. 16 and 17 are additional rogue websites, which have been impleaded during the proceedings.

Submissions on behalf of the Plaintiff

3. Learned counsel for the Plaintiff submits that Defendant No. 1 i.e., the owner of the impugned App and associated rogue websites/Defendant nos. 16 and 17, are liable for infringement of copyright and broadcast reproduction rights under Section 51 and Section 37 of the Act of 1957, respectively. She states that the acts of Defendant No. 1 in actively and knowingly creating, developing, distributing and making available the impugned application and rogue websites with the common object and primary purpose of exploiting copyright protected works including the Plaintiff's Work, makes them liable for causing the infringement of Plaintiff's copyright and broadcast reproduction rights.

3.1. She states that Defendant No. 1 and Defendant Nos. 16 and 17 were not only actively and knowingly distributing the infringing and unauthorized copyright and broadcast reproduction rights of inter alia the Plaintiff but also seeking to substantially erode and dilute the value of the said copyrights by taking away significant revenues from all the stake holders.

3.2. She further submits that the evidence available and filed regarding the conduct of Defendant No. 1 and Defendant Nos. 16 and 17, clearly establish, as per the Plaintiff, that they are operating the impugned mobile App and websites, which are 'rogue' in nature in terms of the judgment passed by the



Coordinate Bench of this Court in **UTV Software Communication Ltd. & Anr. v. 1337x.to and Ors.**³ and thus, they deserved to be blocked in their entirety.

3.3. She states that this Court has already granted ad-interim injunction vide order(s) dated 25.10.2024, 09.12.2024 and 09.01.2025, in favour of the Plaintiff and against the Defendant Nos. 1, 16 and 17. She prays that since the said contesting Defendants⁴ have not appeared till date despite being served with summons and in view of the fact that said Defendants' right to file written statement has already been closed by this Court, this is a fit case to be decreed in terms of Order VIII Rule 10 of the Code of Civil Procedure, 1908 ['CPC'].

3.4. She states that the Plaintiff is only pressing for the relief of permanent injunction against the contesting Defendant Nos. 1, 16 and 17 and has instructions to not pressing for relief of damages and costs. She states that relief qua Defendant Nos. 2 to 13 and 14 already stands satisfied in view of the implementation of the interim injunction orders dated 25.10.2024, 09.12.2024 and 09.01.2025.

Findings and Analysis

4. The Court has heard the counsel for the Plaintiff and perused the record of the present matter.

5. The Court vide Order dated 25.10.2024 issued summons in the present suit and also granted an ex-parte ad interim injunction in favour of the Plaintiff, and passed the following directions: -

- a. Defendant No. 1 was restrained from infringing the Plaintiff's exclusive rights and copyrights, from, in any manner hosting, streaming,

³ 2019 SCC Online Del 8002

⁴ Defendant No. 1 and Defendant Nos. 16 to 17.



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 the Plaintiff has a copyright.

- b. Defendant No. 2 was directed to disclose the complete information of Defendant No. 1 [and any such other websites], 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.
 - c. Defendant Nos. 3 to 11 were directed to block access to the various associated websites; their URLs and the respective UIs as filed along with the suit and any other apps/websites notified by the Plaintiff by filing of an affidavit.
 - d. Defendant Nos. 12 and 13 were directed to issue requisite notifications calling upon the ISPs and TSPs to block the websites/UIs identified by the Plaintiff.
 - e. Defendant no. 14 (now deleted) was 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 Defendant No. 1, including but not limited to the identity, address, and contact information associated with Defendant No.1's PayPal account.
6. During the pendency of these proceedings, the Plaintiff identified additional rogue websites, i.e., Defendant Nos. 16 and 17, indulging in



similar/identical illegal and infringing activities as of Defendant No. 1, and filed appropriate affidavits, in terms of the liberty granted vide interim order dated 25.10.2024 seeking take down/ blocking orders against such websites.

7. The Plaintiff subsequently filed two (2) applications under Order I Rule 10 CPC, seeking impleadment of the proposed Defendants; (i) I.A. 47542/2024 was filed seeking impleadment of Defendant No. 16 and (ii) I.A. 387/2025 was filed seeking impleadment of Defendant No. 17.

Both the applications I.A. 47542/2024 and I.A. 387/2025 were allowed by the learned Joint Registrar (J) vide orders dated 09.12.2024 and 09.01.2025, respectively. In the said orders, the learned Joint Registrar (J) further directed that directions passed by this Court vide interim order dated 25.10.2024 regarding blocking/suspension of the rogue websites by Defendant Nos. 3 to 13 shall operate qua Defendant No. 16 and Defendant No. 17, as well. The averments in the plaint vis-à-vis Defendant No. 1 thus apply with equal force to Defendant Nos. 16 and 17.

8. As recorded in the order dated 14.02.2024, passed by the learned Joint Registrar (J), Defendant Nos. 1 to 15 have been served on 04.12.2025 and Defendant No. 17 has been served on 26.01.2025.

9. Upon a perusal of the Order dated 24.04.2025 passed by the learned Joint Registrar (J), it is pertinent to note that rights of Defendant Nos. 1 to 13 to file their written statement(s) have already been closed and Defendant no. 16 stands served on 25.02.2025.

10. Upon a perusal of the Order dated 05.08.2025 passed by the learned Joint Registrar (J), it is pertinent to note that Defendant No. 14 has been served with summons on 24.04.2025 and the rights of Defendant Nos. 16 and 17 to file their written statement have already been closed.



11. During the hearing dated 12.08.2025, learned counsel for Defendant No. 14 requested that since Defendant No. 14 has complied with the interim order dated 25.10.2024, Defendant No. 14 be deleted from the array of parties. Accordingly, this Court while recording the Plaintiff's no objection to the said request of Defendant No. 14, deleted Defendant No. 14 from the array of parties.

12. In the present matter, Defendant No. 1 and Defendant Nos. 16-17 are the contesting Defendants. The said Defendants have been served and/or are aware of the orders passed by this Court since the impugned App and websites have been blocked in pursuance of the injunction order dated 25.10.2024. However, the said defendants have neither entered appearance nor file any written statement. In view of the aforesaid, it is clear that all the averments made in the plaint contending copyright violations by the said Defendants and documents filed with the plaint are unrebutted and thus, deemed to admitted. Furthermore, no affidavit of admission/denial of the documents filed by the Plaintiff, has been filed by Defendant Nos. 1, 16 and 17. Accordingly, the documents filed by the Plaintiff are deemed to have been admitted.

13. At this stage, it would be apposite to refer to Order VIII Rule 10 of CPC. The said rule reads as under: -

“10. Procedure when party fails to present written statement called for by Court.— Where any party from whom a written statement is required under rule 1 or rule 9 fails to present the same within the time permitted or fixed by the Court, as the case may be, the Court shall pronounce judgment against him, or make such order in relation to the suit as it thinks fit and on the pronouncement of such judgment a decree shall be drawn up.”

14. It would be relevant to refer to the dicta of **Satya Infrastructure Ltd.**



& Ors. v. Satya Infra & Estates Pvt. Ltd.⁵, wherein the Co-ordinate Bench of this Court held as under: -

“4. The next question which arises is whether this Court should consider the application for interim relief and direct the plaintiffs to lead ex parte evidence. The counsel for the plaintiffs states that the plaintiffs are willing to give up the reliefs of delivery, of rendition of accounts and of recovery of damages, if the suit for the relief of injunction alone were to be heard today.

5. I am of the opinion that no purpose will be served in such cases by directing the plaintiffs to lead ex parte evidence in the form of affidavit by way of examination-in chief and which invariably is a repetition of the contents of the plaint. The plaint otherwise, as per the amended CPC, besides being verified, is also supported by affidavits of the plaintiffs. I fail to fathom any reason for according any additional sanctity to the affidavit by way of examination-in-chief than to the affidavit in support of the plaint or to any exhibit marks being put on the documents which have been filed by the plaintiffs and are already on record. I have therefore heard the counsel for the plaintiffs on merits qua the relief of injunction.”

(Emphasis Supplied)

15. The averments made in the plaint, which have remain unrebutted clearly evidence that Defendant No. 1 and Defendant Nos. 16-17 are actively and deliberately distributing and making available the Plaintiff’s copyrighted content across their impugned App unauthorized websites. It is further evident that the intent of the said contesting Defendants is to exploit the Plaintiff’s exclusive material, thereby infringing upon the Plaintiff’s copyrights and broadcasting rights.

16. Since Defendant Nos. 1, 16 and 17 have failed to take any requisite steps to contest the present suit, despite having suffered an ad interim injunction order, it is evident that they have no defence to put forth on merits.

⁵ 2013 SCC OnLine Del 508



17. The act(s) and conduct of Defendant No. 1 and Defendant Nos. 16-17, if not enjoined would cause irreparable harm to the Plaintiff, as these rogue/impugned websites by violating and infringing the exclusive rights of the Plaintiff in various TV shows, films and/or web series will cause further revenue losses to the Plaintiff.

18. Given the fact that the plaint has been duly verified and is supported by the affidavit(s) of the Plaintiff as well the Statement of Truth and in view of the aforesaid findings, this Court is of the view that this suit does not merit trial. This Court deems it fit to opine that the present suit is capable of being decreed in terms of Order VIII Rule 10 of CPC.

19. In view of the aforesaid, this Court is of the view that the Plaintiff is entitled to reliefs of permanent injunction as claimed in the plaint. Accordingly, a decree of permanent injunction is passed in favour of the Plaintiff and against Defendant No. 1 as well as Defendant No. 16 and 17 in terms of prayer clause 69(i) of the plaint. The interim order dated 25.10.2024 shall merge into the final decree for permanent injunction. The reference to Defendant No. 1 in prayer clause 69(i) of the plaint is read to include Defendant nos. 16 to 17 in view of the orders permitting their impleadment.

20. Similarly, decree of permanent injunction is passed in terms of prayer clause 69(iv) in favour of the Plaintiff and thereby Defendant Nos. 12 and 13 are directed to issue a notification calling upon the ISPs and TSPs to issue notification permanently blocking the rogue websites of Defendant Nos. 16 and 17.

21. The counsel for the Plaintiff has stated that the remaining reliefs at prayer clauses 69(ii), (iii) and (v) have already been satisfied due to the compliance of the injunction order by Defendant Nos. 2 to 11 as well as



Defendant No. 14 (since deleted). It is stated that the Plaintiff does not press for the remaining reliefs of inter-alia damages at prayer clauses (vi), (vii), (viii) and (ix). The said statement is taken on record and the prayer clauses (vi), (vii), (viii) and (ix) are disposed of as not pressed.

22. Since Defendant No. 14 has already been deleted from the array of parties, the Plaintiff is directed to strike off Defendant No. 14 in the memo of parties and thereafter, file a fresh amended memo of parties.

23. Let the decree sheet be drawn up. The registry is directed to draw the decree sheet after the amended memo of parties is filed on record.

24. With the aforesaid directions, this suit along with pending applications (if any) stands disposed of. No order as to costs.

25. All future dates stand cancelled.

MANMEET PRITAM SINGH ARORA, J

AUGUST 21, 2025/msh/MG