

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**  
**NOTICE OF MOTION NO.279 OF 2015**  
**IN**  
**SUIT NO.675 OF 2014**

People Interactive (I) Pvt. Ltd. ... Plaintiff  
*Versus*  
Gaurav Jerry & Ors. ... Defendants

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**Mr. Rashmin Khandekar, i/b Krishna Saurastri & Associates for the**  
***Plaintiff.***  
**Mr. Vakul Sharma, for the Defendants Nos.2 and 3.**

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**CORAM: G.S. PATEL, J**  
**DATED: 16th June 2016**

**PC:-**

1. Heard Mr. Khandekar for the Plaintiff and Mr. Sharma for the Defendants Nos.2 and 3. An Affidavit in Reply of one Mr. Shyam Bihari Katara, Constituted Attorney of Defendants Nos. 2 and 3, is on record. In this Affidavit, Defendants Nos.2 and 3 say that they have blocked and taken down the website being operated by the 1st Defendant and also cancelled his registration of the domain name “**ShaadiHiShaadi.Com**”, one that was initially effected through Defendants Nos. 2 and 3. The Affidavit is taken on file. These statements are accepted.

2. In view of this, and since the statements are accepted, the Suit does not survive against Defendant Nos. 2 and 3 and is disposed of in these terms against both.

3. The Plaintiffs are directed to forthwith amend the cause title of the Complaint and the Notice of Motion in Court, without need of verification, to delete the names of Defendants Nos. 2 and 3. This is necessary so that there is no misunderstanding when the Suit is ultimately taken to trial.

4. As regards Defendant No.1, Mr. Khandekar states that attempts to serve him were not successful, requiring the Plaintiffs to take an order of substituted service. This has been effected. An Affidavit of one Abhishek Mahorey, the Company Secretary and Head Legal of the Plaintiff affirmed on 25th June 2016 is tendered and is taken on file.

5. There is no Affidavit in Reply to the Notice of Motion from the 1st Defendant. The 1st Defendant is served by substituted service. None appears for the 1st Defendant, although his appearance is correctly shown and his name is called out.

6. There was an ad-interim order dated 7th July 2014, that has continued till date. That order is confirmed as the final order on the Notice of Motion.

7. The Notice of Motion is disposed of in these terms with no order as to costs.

8. The Writ of Summons having been served by substituted service, and no Written Statement having been filed, leave to the Plaintiffs to file a Notice of Motion under Rule 90 of the High Court (Original Side) Rules for a judgment for want of a Written Statement. Liberty to the Plaintiffs to have the Notice of Motion listed when filed and served.

**(G. S. PATEL, J.)**