

\$~6

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

+ **CS(COMM) 770/2018**

UTV SOFTWARE COMMUNICATIONS LTD & ORS.

..... Plaintiffs

Through Ms. Disha Sharma, Ms. Surabhi
Pandey & Ms. Snehima Jauhari,
Advocates

versus

FMOVIES.PE AND ORS.

..... Defendants

Through Mr. Tushar Bhardwaj, Adv. for
Reliance Jio

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. RAKESH PANDIT
(DHJS)**

ORDER

10.09.2020

%

Hearing of this matter has taken up through video conferencing on account of on going Pandemic of Covid-19.

IA No. 7972/2020 (u/s 151 CPC)

Heard. In view of the reasons mentioned in the application and submissions made, the application is allowed..

IA No. 7971/2020 (under Order 1 Rule 10 CPC by plaintiffs)

Heard.

In view of the submissions, the websites as mentioned in the prayer clause of the application especially the Schedule-A are impleaded as

defendant nos. 103 to 109.

In view of the judgment passed by the Hon'ble Court dated 10.04.2019, it is hereby held that the relief granted in para-107 of the judgment is also applicable upon the newly added defendant nos. 103 to 109. The DoT, ISPs and MEITY are directed to do the needful in terms of the relief granted in Para 107 the judgment dated 10.04.2019. The operative part of the Para 107 of judgment is reproduced below:-

“Keeping in view the aforesaid findings, a decree of permanent injunction is passed restraining the defendant-websites (as mentioned in the chart in paragraph no.4(i) of this judgment) their owners, partners, proprietors, officers, servants, employees, and all others in capacity of principal or agent acting for an on their behalf, or anyone claiming through by under it, 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 websites, through the internet in any manner whatsoever, any cinematograph work/content/programme/show in relation to which plaintiffs have copyright. A decree is also passed directing the ISPs to block access to the said defendant-websites. DoT and MEITY are directed to issue a notification calling upon the various internet and telecom service providers registered under it to block access to the said defendant-websites. The plaintiffs are permitted to

implead the mirror/redirect/alphanumeric websites under Order 1 Rule 10 CPC in the event they merely provide new means of accessing the same primary infringing websites that have been injected”.

Accordingly, the application is disposed of. Registry is directed to do the needful. Copy of order be given dasti.

Amended memo of parties has already been filed and the same is taken on record.

RAKESH PANDIT (DHJS)
JOINT REGISTRAR (JUDICIAL)

SEPTEMBER 10, 2020/cd