



\$~51

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

+ W.P.(C) 16865/2024 & CM APPL. 71436/2024, CM APPL.
71437/2024, CM APPL. 71438/2024, CM APPL. 71439/2024, CM
APPL. 71440/2024

PRANAV GUPTA

.....Petitioner

Through: Mr. Turab Ali Kazmi and Mr.
Saransh Bhardwaj, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Meenakshi, Advocate for UOI.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

06.12.2024

%

1. The Petitioner, the Chief Marketing Officer of a leading stationery manufacturing brand in India, challenges the disconnection of his mobile number by Respondent No. 3 – Reliance Jio Infocomm Ltd. The Petitioner asserts that he has been using the same mobile number for over a decade, including for business operations and financial transactions such as receiving OTPs, accessing demat and bank accounts, and facilitating UPI transactions. This number was ported to the services of Respondent No. 3 in August 2023.

2. The Petitioner alleges that on 8th November, 2024, Respondent No. 3 deactivated the Petitioner's mobile number without prior notice, causing severe disruption to his professional and financial activities. Despite



repeated attempts to seek redressal through calls, emails, and the designated mobile application, the Petitioner did not receive a satisfactory response. In a detailed email sent to the customer care team, the Petitioner expressed his grievances and requested the immediate reinstatement of his number, warning that further inaction would compel him to pursue legal remedies. This email reads as follows :

“Dear Reliance Jio Infocomm Ltd Team,

My name is Pranav Gupta, and I am reaching out regarding an urgent issue concerning my mobile number, which was deactivated without any prior notice or reasoning on 8th November 2024.

Since the deactivation, I have contacted your customer care team twice in an attempt to resolve this matter. Unfortunately, each time, I was provided with unclear and unreasonable explanations, which have only added to my frustration. This unilateral deactivation has significantly disrupted my business operations, as this number is crucial for my professional communications.

I kindly request that my mobile number be reinstated within 12 hours of the receipt of this email. Should there be any delay or failure to restore the number, I will be compelled to explore legal remedies, including but not limited to claims for damages and harassment resulting from this inconvenience.

Please treat this matter with the utmost urgency and confirm the reinstatement at the earliest.

Thank you for your immediate attention.”

3. Respondent No.3 responded on 27th November, 2024 as under:

“Dear Mr. Gupta,

I certainly understand that you want to know about your number disconnection.

As discussed on call, please be informed services on your Jio number 9999885473 has been disconnected as per orders received from Law Enforcement Authorities.

We have received request for disconnection of you Jio number from



WEST BENGAL Cyber Police on 06-09-2024 Date and the reason of Blocking was UPI Fraud.

I am sorry but I will not be able to share any further details with you on this. From my side, I can only share you Cyber Police details where you can mail your concerns.

Sir/Ma'am, Designation of Cyber Police Authority is Deputy Inspector General Of Police (DIGP) and you can mail your concerns on ccpwb@cidwestbengal.gov.in mail ID.

Assuring you of our best services at all times.

If you need further help, please write to us or call us by dialling 199 from your Jio number or 1800 889 9999 from any other number."

[Emphasis added]

4. As per the emailed referred above, the Petitioner's number was disconnected on account of requested dated 06th September, 2024 received from Respondent No. 2 – the Cyber Crime Wing, West Bengal Police. Evidently, the impugned action is a result of ongoing investigation into some UPI fraud. Respondent No. 3 further directed the Petitioner to address his concerns to the Cyber Crime Wing. The Petitioner subsequently emailed Respondent No. 2 on the same day, seeking withdrawal of the instruction for disconnection. However, no response was received.

5. Dissatisfied with the lack of resolution, the Petitioner escalated the matter to Respondent No. 1 – the Department of Telecommunication, Ministry of Communications, through representations urging intervention for reinstatement of his mobile number. These efforts also proved unfruitful.

6. Thus, aggrieved by the disconnection of his mobile number by Respondent No. 3, on the basis of Respondent No. 2's instruction/order/request dated 06th September, 2024, the Petitioner has filed the present writ petition seeking the following prayers:



“(a) Issue a writ in the nature of Certiorari to quash and set aside the impugned order/instruction/request dated 06.09.2024 (which has not been provided to the Petitioner) issued by the Respondent No. 2 and all incidental proceedings thereto against the Petitioner; and/ or

(b) Issue a writ in the nature of Mandamus directing the Respondent No. 1 and / or Respondent No. 2 to issue order/instruction/request /circular to Respondent No. 3 to reactivate the suspended Mobile Number of the Petitioner; and/ or

(c) Issue any other Writ, order or direction which this Hon’ble Court may deem fit and proper in the facts and circumstances of the case; and/ or

(d) To grant costs in favour of the petitioner and against the Respondent.”

7. Heard. The Petitioner’s primary grievance arises from the disconnection instruction issued by Respondent No. 2, the Cyber Crime Wing of the West Bengal Police. For redressal, it is incumbent upon the Petitioner to approach the appropriate authorities in West Bengal—either by engaging with the concerned police department, and if that proves ineffective, by seeking appropriate relief from the competent Court in relation to the criminal investigation into the alleged UPI fraud. Consequently, the relief sought in prayer (a), as extracted above, falls outside the territorial jurisdiction of this Court.

8. As regards prayer (b), wherein the Petitioner seeks a mandamus directing Respondent No. 1 – Department of Telecommunication, Ministry of Communications, Government of India, to instruct Respondent No. 3 to reactivate the Petitioner’s mobile number, this Court finds the request to be entirely premature and misconceived. The crux of the present matter revolves around the validity of the instructions issued by Respondent No. 2. It is incumbent upon the Petitioner to challenge these instructions before the appropriate Court, rather than seeking redressal from the central



government.

9. Further, rather than seeking intervention from this Court, the Petitioner must exhaust the remedies by approaching the higher police authorities at Cyber Crime Wing of West Bengal Police, clarifying his role, if any, in the investigation. Thus, this Court, finds the present writ petition premature for exercise of its writ jurisdiction under Article 226 of the Constitution.

10. However, the Court acknowledges the Petitioner's urgency, particularly considering the indispensable role mobile connectivity plays in modern life. A mobile number, especially one in use for a considerable period, often serves as a lifeline for both professional and personal engagements. The abrupt disconnection of such a number, can severely disrupt business operations, financial transactions, and personal communications. Accordingly, the Court issues a limited direction to Respondent No. 2 to furnish the Petitioner with specific details of the UPI fraud case, including the basis for linking the Petitioner's mobile number to the alleged fraudulent activities. This direction be complied within one week. This will enable the Petitioner to take appropriate legal action to address the issue effectively.

11. With the above directions, the petition, along with pending applications, stands disposed of.

SANJEEV NARULA, J

DECEMBER 6, 2024

d.negi