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

+ **CS(COMM) 120/2022**

**LIVING MEDIA INDIA LIMITED & ANR. .... Plaintiffs**  
Through: Mr. Hrishikesh Baruah, Advocate.

versus

**TELEGRAM FZ LLC & ORS. .... Defendants**  
Through: Mr. Rajshekhar Rao, Senior  
Advocate with Ms. Anushka Sharda and  
Ms. Smriti Nair, Advocates for D-1.

**CORAM:**

**HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER**

% **04.03.2022**

**I.A. 2874/2022 (Exemption)**

1. Allowed, subject to all just exceptions.
2. Plaintiffs shall file the originals of documents, which are in its possession, within two weeks from today.
3. Accordingly, application stands disposed of.

**I.A. 2873/2022 (Additional documents)**

4. Present application has been preferred on behalf of the Plaintiffs seeking leave to file additional documents under Order XI Rule 1 CPC.
5. Plaintiffs, if it wishes to file additional documents at a later stage, shall do so strictly as per the provisions of the Commercial Courts Act, 2015.
6. Application is disposed of, accordingly.

**I.A. 3430/2022 (Directions)**

7. Present application has been preferred by the Plaintiffs to take on

record four pages which were missing at the time of filing of the plaint which have now been numbered as 46A, 46B, 46C and 57A.

8. Issue notice.

9. Ms. Anushka Sharda, learned counsel accepts notice on behalf of Defendant No.1.

10. Above-mentioned four pages are taken on record. Registry is directed to add the four pages to the Original Plaint.

11. Accordingly, application is allowed and disposed of.

**I.A. 2875/2022 (Section 12 A)**

12. Present application has been preferred by the Plaintiffs under Section 12A of the Commercial Courts Commercial Division and Commercial Appellate Division of High Courts Act, 2015 read with Section 151 of the Code of Civil Procedure, 1908.

13. Issue notice.

14. Ms. Anushka Sharda, learned counsel accepts notice on behalf of Defendant No.1 and seeks a period of two weeks to file reply.

15. Let reply be filed by Defendant No.1 within a period of two weeks from today.

16. List on 20.04.2022.

**CS(COMM) 120/2022**

17. Let the plaint be registered as a suit.

18. Upon filing of process fee, issue summons to the Defendants, through all permissible modes, returnable on 20.04.2022. Summons shall state that the written statement shall be filed by the Defendants within 30 days from the receipt of summons. Along with the written statement, Defendants shall also file an affidavit of admission/denial of the documents of the Plaintiffs.

19. Replication be filed by the Plaintiffs within 15 days of the receipt of the written statement. Along with the replication, an affidavit of admission/denial of documents filed by the Defendants, shall be filed by the Plaintiffs. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

20. List before the Joint Registrar for marking of exhibits on 07.04.2022.

21. List before the Court on 20.04.2022 for framing of issues.

**I.A. 2872/2022 (Stay)**

22. Present application has been preferred by the Plaintiffs under Order XXXIX Rules 1 and 2 read with Section 151 of the Code of Civil Procedure 1908 for grant of *ex-parte ad interim* injunction.

23. Issue notice.

24. Ms. Anushka Sharda, learned counsel accepts notice on behalf of Defendant No.1.

25. Reply be filed by Defendant No.1 within a period for two weeks from today, more specifically responding to prayer clause (E) of the application.

26. Rejoinder be filed by the Plaintiffs within a period of one week thereafter.

27. Mr. Rajshekhar Rao, learned Senior Counsel, appearing on behalf of Defendant No.1, on advance copy, at the outset on instructions, submits that the offending channels as referred to in paragraph 16 of the present application have been deleted and in case any of these channels have not been deleted so far, Defendant No. 1 shall take steps to delete the said channels within a period of 48 hours.

28. The assurance given by Mr. Rao, on behalf of Defendant No.1, is

taken on record and needless to state, Defendant No.1 shall remain bound by the same.

29. Plaintiffs are at liberty to file affidavit in court and/or bring to the notice of Defendant No.1, in case Plaintiffs come across any channels infringing the trademarks and copyrights of the Plaintiffs, which would include details of the links/channels or URLs, if available. On receipt of the said information, Defendant No.1 shall take necessary steps to delete the channels containing infringing material, as expeditiously as possible.

30. List on 20.04.2022.

**JYOTI SINGH, J**

**MARCH 04, 2022/rk**