

**MOST IMMEDIATE**  
**BY EMAIL/DoT Website**

**Government of India**  
**Ministry of Communications**  
**Department of Telecommunications**  
**Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110 001**  
**(Data Services Cell)**

**No. 813-07/LM-56/2022-DS-II**

**Dated:23-12-2022**

**To,**

**All Internet Service Licensees'**

**Subject: WRIT PETITION (L) NO. 39485 OF 2022; titled as XXX v/s Union of India & Ors. In the High Court of Judicature at Bombay.**

Kindly find the enclosed Hon'ble High Court of Judicature at Bombay order dated 21<sup>st</sup> December 2022 along with copy of the writ Petition in the subject matter court case WRIT PETITION (L) NO. 39485 OF 2022 for compliance with respect to blocking of website URLs of respondent no. 4 & 5. DoT is respondent No. 1 in the case.

2 . Hon'ble Court vide order dated **21.12.2022** has directed in terms of the followings:

*6. The respondent nos. 1 to 3 are directed to block the links of the respondent nos. 4 and 5 described at Ex.D to the petition forthwith and file an affidavit for reporting compliance on 23<sup>rd</sup> December, 2022. Place the matter on board for reporting compliance on 23<sup>rd</sup> December, 2022.*

***7. At the same time we also grant an ad-interim relief in terms of prayer clause (c) till further orders. The parties to act on the authenticated copy of this order.***

3. Petition Prayer Clause (c) as mentioned in the WRIT PETITION (L) NO. 39485 OF 2022 is reproduced below:

**10. THE PETITIONER THEREFORE PRAYS THAT:**

***c) During the pendency of the present petition, this Hon'ble Court be pleased to direct the Respondent Nos. 1 to 3, to temporarily block the website URL of the Respondent Nos. 4 & 5.***

3. Accordingly, in view of the above, all the Internet Service licensees are hereby instructed to take immediate necessary blocking action for compliance of the court order dated 21<sup>st</sup> December 2022 read with prayer clause (c) in the petition with respect to blocking of website URL of respondent no. 4 & 5 as mentioned in memo of parties at the earliest.

**Director (DS-II)**  
**Tel: 011-2303 6860**  
**Email: dirds2-dot@nic.in**

Encl: A/A

**Copy to:**

- i. Sh. V.Chinnasamy, Scientist E (chinnasamy.v@meity.gov.in), Electronics Niketan, Ministry of Electronics and Information Technology (MeitY) New Delhi for kind information and necessary action (Respondent no. 3 in the case)
- ii. Adv. Uma Kshirsagar-Wagle, Counsel for UOI for kind information.
- iii. DoT website.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY*****ORDINARY ORIGINAL CIVIL JURISDICTION*****WRIT PETITION (L) NO. 39485 OF 2022****XXX****..... Petitioner****VERSUS****Union of India & Ors.****..... Respondents**

Dr.Prashant Mali, a/w. Mr.Rahul Singh, Ms.Tejal Patel and Ms.Pranali Raut for the Petitioner.

Ms.Uma Kshirsagar Wagle for the UOI – Respondent nos. 1 and 3.

Ms.P.H.Kantharia, Government Pleader for the State – Respondent no.2.

**CORAM: R. D. DHANUKA AND****M.M. SATHAYE, JJ.****DATE : 21ST DECEMBER, 2022****P.C:-**

Learned counsel for the petitioner states that all the respondents including respondent nos. 4 and 5 were served on e-mail on 19<sup>th</sup> December, 2022. None appeared for the respondent nos. 4 and 5 when the matter was called out.

2. The petitioner at this stage prays for an interim relief in terms of prayer clause (c). It is the case of the petitioner that certain nude and explicit obscene videos of the petitioner were uploaded on about 19 porn websites. No sooner the petitioner came to know, the petitioner filed a police complaint at Bandra Kurla Complex Police Station,

Mumbai on 15<sup>th</sup> September, 2022. In view of the notices issued by the learned advocate for the petitioner, out of 19 links, 13 links containing such videos have been removed. The petitioner seeks interim order against respondent nos. 4 and 5 who according to the petitioner are still operating other six links, the details whereof are provided at Ex.D of the writ petition.

3. The statements made in the petition are accepted. The respondent nos. 4 and 5 cannot be allowed to continue the said website links till further orders.

4. In our *prima facie* view, the respondent nos. 4 and 5 have committed violation of various provisions of the Information and Technology Act, 2000 and the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 made under the provisions of the Information Technology Act, 2000.

5. Issue notice to respondent nos. 4 and 5 returnable on **16<sup>th</sup> January, 2023**. Learned counsel waives service for the respondent nos.1 and 3. Ms.Kantharia, learned Government Pleader waives

service for the respondent no.2. Humdast is permitted. In addition to the Court notice, the petitioner is also permitted to serve the respondent nos. 4 and 5 by private notice, by all permissible modes of services available in law.

6. The respondent nos. 1 to 3 are directed to block the links of the respondent nos. 4 and 5 described at Ex.D to the petition forthwith and file an affidavit for reporting compliance on 23<sup>rd</sup> December, 2022. Place the matter on board for reporting compliance on **23<sup>rd</sup> December, 2022.**

7. At the same time we also grant an *ad-interim* relief in terms of prayer clause (c) till further orders. The parties to act on the authenticated copy of this order.

8. The Office is permitted to serve the respondent nos. 4 and 5 by e-mail on the e-mail address provided by the petitioner in the writ petition.

**[M. M. SATHAYE, J.]**

**[R. D. DHANUKA, J.]**

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4. WWW.MASALA-DESI.COM

uletmed@gmail.com

5. WWW.JOYSPORNS.COM

abuse@name.com

...RESPONDENTS

WRIT PETITION UNDER ARTICLE 226 AND ARTICLE 227 OF THE CONSTITUTION OF INDIA FOR ISSUING APPROPRIATE WRIT OR DIRECTIONS TO THE RESPONDENTS FOR ADDRESSING THE GRIEVANCES OF THE PETITIONER BY TAKING DOWN THE OFFENDING WEBPAGES HAVING THE PETITIONER'S VIDEOS ON THEIR WEBSITES WITHOUT HER CONSENT AND VIOLATING HER RIGHT OF PRIVACY.

TO,  
THE HON'BLE CHIEF JUSTICE AND  
HIS COMPANION JUSTICES OF THE  
HON'BLE MUMBAI HIGH COURT  
MOST RESPECTFULLY SHOWETH:

1. That the Petitioner is a student and citizen of India and hence falls within the Writ jurisdiction of this Hon'ble Court. The Petitioner submits that on the date of incident the Petitioner was a minor. The subject matter of the present Writ Petition is very confidential and hence the Petitioner name is not revealed and affirmation to the Petitioner is

