

# Jasper Infotech Private Limited vs Aadi Sins & Ors on 8 January, 2019

**Author: J.R. Midha**

**Bench: J.R. Midha**

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(COMM) 1214/2018 & I.A.15079-15083/2018, 17795/2018,  
17797/2018, 17799/2018, I.A.52/2019

JASPER INFOTECH PRIVATE LIMITED . . . . . Plaintiff  
Through: Ms.Shwetaree Majumdar, Ms.Tanya  
Varma, Ms.Tanya Varma,  
Ms.Vasundhara Majithia, Advocates

versus

AADI SINS & ORS. . . . . Defendants  
Through: Mr.Rajiv Kapur, Advocate for  
defendant No.14/SBI along with  
Mr.Anuj Kumar Jain, AGM  
Mr.Aditya Kumar, Advocate for  
defendant No.15  
Mr.Satyam Khare, Advocate for  
defendant no.16/HDFC Bank  
Mr.Harshit, Advocate for defendant  
No.17  
Ms.S.Nega, Advocate for defendant  
No.19  
Mr.Avirup Benjamin, Mr.B.K.  
Tomber, Advocates for defendant  
No.20/Canara Bank  
Mr.Sidhartha Barua, Mr.Aditya  
Gupta, Advocates for defendant  
No.21/IDBI Bank

CORAM:  
HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% 08.01.2019 CS(COMM) 1214/2018 & I.A.15079/2018

1. Defendants No.14 to 17 and 19 to 21 are represented through their counsels before this Court today. There is no appearance on behalf of other respondents who are proceeded ex parte.

2. Learned counsels for defendants No.15, 16 and 21 submit that they have complied with the order dated 01st November, 2018. Let the particulars of the compliance be furnished on affidavit within two weeks.
3. Learned counsels for defendant No.14 and 19 seek further time for compliance of the order dated 01st November, 2018. Defendants No. 14 and 19 are directed to file an affidavit to place on record the date on which they were served and explain why they have not complied with the order dated 01st November, 2018 till date. The name and particulars of the officers responsible for non-compliance of the order dated 01st November, 2018 be disclosed in the affidavit.
4. The defendants, who have not complied with the order dated 01st November, 2018 are directed to forthwith comply with the order dated 01st November, 2019 and file an affidavit with particulars of compliance within two weeks from today.
5. Learned counsel for defendant No.21 submits that the account number given in the plaint with respect to defendant No.21 does not exist and he would be filing an affidavit to place this on record. Let the affidavit be filed within two weeks.
6. List for considering the compliance report on 08th April, 2019.
7. Interim order dated 1st November, 2018 to continue till further orders.
8. The application is allowed and defendant No.14 to 22 are directed to disclose the relevant information sought in para 8 (a) to (i) of the application on affidavit and produce the documents mentioned in para 9 of the application within two weeks with advance copy to counsel for the plaintiff.
9. The application is allowed and defendant No.14 is directed to disclose the relevant information sought in para 8 (a) of the application on affidavit and produce the documents mentioned in para 9 of the application within two weeks with advance copy to counsel for the plaintiff. I.A. 17797/2018 & 17799/2018
10. The applications are allowed and proposed defendants No.23 to 39 are impleaded as defendants No.23 to 39. The proposed amendments are necessary for determining the real issues and are therefore allowed. The amended plaint and the amended memo of parties are taken on record. CS(COMM) 1214/2018 & I.A. 52/2019
11. Issue notice to newly added defendants No.23 to 39 by e-mail only returnable on 08th April, 2019.
12. The following interim directions are passed with respect to Defendant Nos. 23 to 39 :-
  - (a) Defendant Nos. 23 to 39 and all others acting through them or on their behalf are restrained from infringing the Plaintiff's SNAPDEAL trademarks listed in paragraph

49 of the amended plaint and/or passing off their activities and business as that of the Plaintiff or affiliated to the Plaintiff;

(b) The domain registrar, GoDaddy.com LLC is directed to suspend the domains [www.snapdealprizewinner.com](http://www.snapdealprizewinner.com);

[www.snapdealcontestwinner.com](http://www.snapdealcontestwinner.com); [www.snapdealonlinedraw.shop](http://www.snapdealonlinedraw.shop);

[www.snapdealluckydrawlist.in](http://www.snapdealluckydrawlist.in); [www.snapdealluckydrawwinnerlist.com](http://www.snapdealluckydrawwinnerlist.com); [www.snapdealprize.in](http://www.snapdealprize.in); [www.snapdealprizedepartment.com](http://www.snapdealprizedepartment.com); [www.snapdealprizewinner2018.com](http://www.snapdealprizewinner2018.com); [www.snapdealwinnerlist2018.com](http://www.snapdealwinnerlist2018.com); [www.snapdealwinners2018.com](http://www.snapdealwinners2018.com); [www.snapdealprize.info](http://www.snapdealprize.info); [www.snapdealonlinewinner.co.in](http://www.snapdealonlinewinner.co.in); [www.snapdealprizewinners.org](http://www.snapdealprizewinners.org); [www.snapdealwinner.co](http://www.snapdealwinner.co); [www.snapdealonline.luckydraw.in](http://www.snapdealonline.luckydraw.in) and [www.snapdealluckydraws.in](http://www.snapdealluckydraws.in) and furnish the full particulars namely the full name, address, account details and e-mail address of the registrant of the said domains within one week of the receipt of this order;

(c) The domain registrar, Wild West Domains LLC is directed to suspend the domain [www.snapdealscontest.com](http://www.snapdealscontest.com) and furnish the full particulars namely the full name, address, account details and e-mail address of the registrant of the said domain within one week of the receipt of this order.

(d) The domain registrar, Endurance Domains Technology LLP is directed to suspend the domains [www.snapdealshop.in](http://www.snapdealshop.in) and [www.snapdealonlineshoppingluckywinner.in](http://www.snapdealonlineshoppingluckywinner.in) and furnish the full particulars namely the full name, address, account details and e-mail address of the registrant of the said domains within one week of the receipt of this order;

(e) The domain registrar, Crazy Domains FZ-LLC is directed to suspend the domain [www.snapdealluckydraw.net](http://www.snapdealluckydraw.net) and furnish the full particulars namely the full name, address, account details and e-mail address of the registrant of the said domain within one week of the receipt of this order;

(f) The domain registrar, Hostinger, UAB is directed to suspend the domain [www.luckydrawsnapdealwinner.com](http://www.luckydrawsnapdealwinner.com) and furnish the full particulars namely the full name, address, account details and e-mail address of the registrant of the said domains within one week of the receipt of this order;

(g) Defendant No. 14 is directed to freeze the bank accounts listed in Exhibit A1 of the amended plaint within one week of the receipt of this order and file the affidavit of compliance within two weeks thereafter:

(h) The aforesaid authorities are directed to send the compliance report before the next date.

13. Order XXXIX Rule 3 of Code of Civil Procedure be complied within five days.

14. Copy of this order be sent to defendants No.23 to 39.

15. Copy of this order be given dasti to counsel for the parties under the signature of the Court Master.

J.R. MIDHA, J.

JANUARY 08, 2019/dk