

**IN THE HON'BLE HIGH COURT OF DELHI
AT NEW DELHI
(ORDINARY ORIGINAL CIVIL JURISDICTION)**

I.A. NO. 10423 OF 2026

IN

C.S. (OS) NO. 335 OF 2026

IN THE MATTER OF:

SATISH SANPAL

...PLAINTIFF

VERSUS

JAGRAN PRAKASHAN LTD. & ORS.

...DEFENDANTS

INDEX

SR. NO.	DESCRIPTION	PAGE NO.
1.	Reply to Plaintiff's Interim Application No. 10423 of 2026 filed under Order XXXIX Rules 1 and 2 of the Civil Procedure Code, 1908, on behalf of Defendant No. 23, Meta Platforms, Inc.	1-51
2.	Proof of service along with Affidavit of Service	52-54

Note 1: Parties have been served via email and proof of service along with an affidavit of service have been attached.

THROUGH



**VARUN PATHAK, ADVOCATE
ENROL NO. D/460/2007
SHARDUL AMARCHAND MANGALDAS & CO.
ADVOCATES FOR META PLATFORMS INC.
216, AMARCHAND TOWERS
OKHLA INDUSTRIAL ESTATE
PHASE - III, NEW DELHI- 110 020
E: VARUN.PATHAK@AMSSHARDUL.COM**

DATE: APRIL 30, 2026

PLACE: NEW DELHI

**IN THE HON'BLE HIGH COURT OF DELHI AT NEW
DELHI**

(ORDINARY ORIGINAL CIVIL JURISDICTION)

I.A. NO. 10423 OF 2026

IN

C.S. (OS) NO. 335 OF 2026

IN THE MATTER OF:

SATISH SANPAL

...PLAINTIFF

VERSUS

JAGRAN PRAKASHAN LTD. & ORS.

...DEFENDANTS

**REPLY ON BEHALF OF META PLATFORMS INC.,
DEFENDANT NO. 23, IN RESPONSE TO PLAINTIFF'S
INTERIM APPLICATION UNDER ORDER XXXIX, RULES
1 AND 2 READ WITH SECTION 151 OF THE CODE OF
CIVIL PROCEDURE, 1908**

MOST RESPECTFULLY SHOWETH:

1. Meta Platforms, Inc. ("**Meta**"), Defendant No. 23, files this reply ("**Reply**") to the interim application no. 10423/2026 ("**Interim Application**") under Order XXXIX, Rules 1 and 2 read with Section 151 of the Code of Civil Procedure, 1908 ("**CPC**"), filed by Applicant, Mr. Satish Sanpal ("**Applicant**") in the above-referenced suit ("**Suit**").
2. At the outset, Meta denies each and every averment, allegation, or submission made in the Suit, including in the plaint ("**Plaint**") and the Interim Application, and nothing stated therein may be deemed to be admitted by Meta unless specifically admitted hereinafter.

3. Meta has also filed its written statement (“**Written Statement**”) in response to the Plaint. Meta seeks liberty of this Hon’ble Court to rely on the contents of the Written Statement.
4. Meta is a company incorporated under the laws of the State of Delaware, United States of America, having its office at 1 Meta Way, Menlo Park, California 94025, United States of America.
5. Meta provides the Instagram service (*i.e.*, www.instagram.com and corresponding applications for mobile devices and tablets (“**Instagram Service**”). Users of the Instagram Service in India enter into an agreement with Meta, when they register to use the Instagram Service. The Instagram Service are voluntary online social networking services that allow users to connect and share information with their friends and family. Users log into their accounts to create, upload, and share posts, comments, photos, videos, and other content directly onto the Instagram Service.
6. Applicant has inadvertently arrayed Meta as “*Instagram / Meta Platforms, Inc. (India)*” at its registered address. As stated above, it is Meta which provides the Instagram Service and no entity known as “*Instagram*” exists. Accordingly, Meta requests this Hon’ble Court to direct the Applicant to amend the memo of parties to array Meta correctly.
7. Applicant, a Dubai-based entrepreneur, is aggrieved by circulation of allegedly defamatory content which portrays him as a “*criminal bookie, an absconding fraudster, the*

mastermind of illegal gambling and hawala networks, and a fugitive from Indian justice” (“**Contested Content**”). Applicant has identified Contested Content through two (2) unique resource locators (“**URLs**”) on the Instagram service (“**At-Issue URLs**”) uploaded by accounts “@jabalpurexpress1” (arrayed as Defendant No. 3) and “@palpalindiatv” (arrayed as Defendant No. 4) respectively. Applicant has also attached screenshots of the two URLs on the Instagram Service as Documents 4 and 5 to the Plaintiff:

- a. <https://www.instagram.com/reel/DVVRMjEfkvkM/>
- b. https://www.instagram.com/p/CdnqZFSBaHa/?utm_source=ig_web_copy_link

8. On this basis, Applicant seeks the following reliefs in the Plaintiff:

- a. *“...directing Defendant Nos. 1 to 24, together with their officers, partners, associates, representatives and all persons acting for and on their behalf, to forthwith and globally take down and/or delete the Impugned Contents and all similar defamatory content set out in the plaintiff, including but not limited to news articles, reports, posts, interviews, threads, videos, shorts, thumbnails, captions, community posts, pinned posts, quote-posts and other like publications across all media platforms, as published at the URLs mentioned hereinabove in Suit.[;]*
- b. *...restraining Defendant Nos. 1 to 24, together with their officers, partners, associates, representatives and all persons acting for and on their behalf, from publishing, republishing or making any new publication, in any form or on any media platform, of any content containing the same or similar false and defamatory statements or imputations*

concerning the Plaintiff as set out in the plaint, and directing them to forthwith and globally take down and/or delete all such content, including but not limited to news articles, reports, posts, interviews, threads, videos, shorts, thumbnails, captions, community posts, pinned posts, quote- posts and like publications;

- c. Permanent injunction, including in the nature of a dynamic injunction, directing Defendant Nos. 1 to 24, together with their officers, partners, associates, representatives and all persons acting for and on their behalf, to forthwith and globally remove and/or take down from their platforms all instances of the content, in any form (including news articles, reports, posts, interviews, threads, videos, shorts, thumbnails, captions, community posts, pinned posts, quote-posts and similar publications across media platforms), published at the URLs set out in the plaint above;*
- d. ...directing that, upon the Plaintiff bringing to the notice of Defendant Nos. 1 to 24 any other content, in any form or on any media platform (including news articles, reports, posts, interviews, threads, videos, shorts, thumbnails, captions, community posts, pinned posts, quote- posts, etc.), containing the same or similar false and defamatory statements or imputations against the Plaintiff, Defendant Nos. 1 to 24 shall forthwith and globally take down and/or delete such content, and further direct Defendant Nos. 25 and 26 to ensure effective compliance with the injunctive orders passed herein;*
- e. ...directing Defendant Nos. 25 and 26 to issue necessary notifications and directions to all Internet Service Providers (ISPs) and Telecom Service Providers (TSPs) registered under them to block access to the specific URLs/links containing the Impugned Contents, as well as any future mirror links or websites communicating the same or similar defamatory content and to forthwith block access to all URLs identified in the present suit as hosting defamatory content against the Plaintiff specifically*

all foreign-hosted URLs listed in the plaint so as to render the same inaccessible to users in India pending the final disposal of the present suit to ensure effective compliance of the orders of this Hon'ble Court;

- f. ...directing Defendant Nos. 1 to 21 to publish an unconditional apology and retraction in a prominent manner, with wide circulation and visibility;*
- g. ...awarding damages of Rs. 50,00,00,000/- (Rupees Fifty Crores only) in favour of the Plaintiff and against the Defendant no. 1 to 21 for defaming and tarnishing the reputation of the Plaintiff;*
- h. ...Direct the Defendant no. 1 to 21 and to publish an unconditional apology on their respective platforms for the malicious, fallacious and scandalous publications.[;]*
- i. ...awarding exemplary and punitive damages against the Defendants, in addition to the compensatory damages claimed under Prayer (D), to be assessed by this Hon'ble Court, by reason of the Defendants' actual malice, and orchestrated campaign of defamation for commercial gain.[;]*
- j. Award the costs of the suit in favour of the Plaintiff; [and]*
- k. Pass any such order/directions that this Hon'ble Court may deem fit and proper as per facts and circumstances of the case.”*

9. Applicant also seeks the following relief in the Interim Application:

- a. “Direct Defendant Nos. 1 to 26 to immediately remove, take down, block access and prevent circulation of the following[;]*
- b. Restrain the Defendant Nos. 1 to 26 from uploading or allowing to upload any new defamatory content targeting the Plaintiff till final disposal of the suit;*

- c. *Grant an ex-parte ad-interim injunction...against Defendant Nos. 1 to 24, their agents, associates, representatives or anyone acting on their behalf in terms of prayer clauses (1) and (2) hereinabove; and*
- d. *Such other and further order(s) as this Hon'ble Court, may deem fit, in light of the facts and circumstances of the present case, in favor of the Plaintiff and against the Defendant."*

10. The entire Suit and the Interim Application with respect to Meta must be dismissed for the following reasons:
- a. Meta's presence is not necessary for the adjudication of the Suit and the Interim Application since all of the relief that the Applicant seeks can be sufficiently addressed by Defendant Nos. 3 and 4, whom the Applicant has explicitly identified as the publishers of the Contested Content.
 - b. Meta is an intermediary, and therefore, immune from liability under the provisions of the Information Technology Act, 2000 ("**IT Act**");
 - c. Meta has no obligation to proactively monitor the Instagram Service under the IT Act and the Hon'ble Supreme Court's judgment in the case *Shreya Singhal v. Union of India*, reported in (2015) 5 SCC 1 ("**Shreya Singhal**");
 - d. Applicant, in any event, has not identified all instances of the Contested Content by URL in the Complaint or the Interim Application, which the law requires him to do;
 - e. Applicant impermissibly seeks to act as the judge in his own cause by requesting this Hon'ble Court to permit

Applicant to directly approach Meta for removal of the Contested Content; *and*

- f. Applicant's request for global blocking of the Contested Content should be denied. The question of validity of global blocking injunctions under Indian law is *sub-judice* before a Division Bench of this Hon'ble Court. *In any event*, Indian law, including the IT Act, which is territorial in nature, does not authorise global injunctions. Further, global injunctions violate principles of international comity and undermine Meta's immunity in other jurisdictions, unlike an order to geo-block content. Finally, issues concerning global blocking injunctions can be avoided by directing the uploader of the Contested Content to take it down.
11. Before adverting to the paragraph-wise response to the Interim Application, Meta submits the following Preliminary Submissions/Objections.

PRELIMINARY SUBMISSIONS/OBJECTIONS

A. META'S PRESENCE IS NOT NECESSARY FOR THE ADJUDICATION OF THE SUIT BECAUSE THE RELIEF SOUGHT BY APPLICANT CAN AND SHOULD BE SUFFICIENTLY ADDRESSED BY DEFENDANT NOS. 3 AND 4, WHO APPLICANT IDENTIFIES AS THE PUBLISHERS OF THE CONTESTED CONTENT

12. In the Plaintiff and the Interim Application, Applicant alleges that Defendant Nos. 3 and 4 have published the Contested Content. As explained below, Meta is merely an intermediary

that provides platforms wherein third parties, such as Defendant Nos. 3 and 4 in the instant case, upload content. Meta is neither the author nor the publisher of third-party content — including the Contested Content — on Instagram Service. Therefore, Applicant’s requested relief in the Suit and the Interim Application should be addressed by Defendant Nos. 3 and 4, the alleged author and/or publisher of the Contested Content. Indeed, Defendant Nos. 3 and 4 can deliver all of the relief requested by Applicant against Meta in the Plaint and the Interim Application if so ordered by this Hon’ble Court, *e.g.*, refraining from publishing the Contested Content, and removal of the Contested Content.

13. As an intermediary, Meta acknowledges and complies with its duty to action unlawful content upon receiving “*actual knowledge*” of the same through a court order identifying such content by URLs and directing Meta to action the same. Meta, however, respectfully submits that such directions against intermediaries should not be issued where such directions may directly be issued against the uploaders of the at-issue content. Indeed, in *Asif Iqbal Tanha v. State of NCT of Delhi & Ors.*, W.P. (Crl) 1292/2020, a criminal writ petition arising out of the circulation of leaked information pertaining to a criminal investigation, this Hon’ble Court deleted Meta (then Facebook, Inc.) from the array of parties on the ground that any directions for removal of any unlawful content could be directly issued and enforced against the uploader of the at-issue content, who was arrayed to the petition. This Hon’ble Court’s 26 November 2020 order in *Asif Iqbal* states that:

*“Mr Rohatgi, learned Senior Counsel appearing for respondent no.6 states that respondent nos. 5 and 6 (YouTube and Facebook, respectively) are **only intermediaries and have no role to play in the controversy.** Since the alleged offending news items have been uploaded by respondent no. 3, the said respondent can also remove the same. **He states that if orders are passed against respondent no. 3 to take down the said material, the same would obviously be removed.**”*

*It is not disputed that if any orders are passed to take down any site, the intermediaries are obliged to comply with it. In the aforesaid circumstances, **this Court does not consider it apposite that respondent nos. 5 and 6 be arrayed as respondents in the present petition. Accordingly, respondent nos. 5 and 6 are deleted from the array of parties.**”*
(Emphasis added).

14. Despite having an equally efficacious (if not more efficacious) remedy at their disposal, Applicant is wrongly waging a proxy battle with Meta. Rather than seek an order compelling Meta, an intermediary that has played no role in Applicant’s alleged harm, to do anything beyond what it is required to do by law, Applicant should seek removal of the Contested Content by the actual uploaders, *i.e.*, Defendant Nos. 3 and 4, who are also positioned to defend against Applicant’s defamation claims on merits. Indeed, this Hon’ble Court categorically advised against permitting plaintiffs to embroil intermediaries in such “proxy battles” in its order dated 14 January 2019 in *Sasikala Pushpa v. Facebook India and Ors.*, CS (OS) 510/2016.
15. Accordingly, Meta respectfully submits that it should be deleted from the array of parties in this Suit, as the relief sought by Applicant can be sufficiently addressed by

Defendant Nos. 3 and 4, *i.e.*, the users who uploaded the Contested Content on the Instagram Service.

B. META IS AN INTERMEDIARY IMMUNE FROM LIABILITY UNDER THE IT ACT

16. Meta is an intermediary under Section 2(1)(w) of the IT Act, and is therefore immune from liability under Section 79 of the IT Act for third-party content posted on the Instagram Service, including the Contested Content.

17. Section 2(1)(w) of the IT Act defines an intermediary as follows:

“‘Intermediary,’ with respect to any particular electronic records, means any person who on behalf of another person receives, stores or transmits that record or provides any service with respect to that record and includes telecom service providers, network service providers, internet service providers, web-hosting service providers, search engines, online payment sites, online auction sites, online market places and cyber cafes.”

18. The IT Act, by way of an amendment effective 27 October 2009, exempts intermediaries from liability for any third-party information, data, or communication link hosted or made available by such intermediaries.

19. Section 79 of the IT Act provides:

“79. Exemption from liability of intermediary in certain cases—

(1) Notwithstanding anything contained in any law for the time being in force but subject to such

provisions of sub-sections (2) and (3), an intermediary shall not be liable for any third party information, data or communication link made available or hosted by him.

(2) The provisions of sub-section (1) shall apply if—

(a) the function of the intermediary is limited to providing access to a communication system over which information made available by third parties is transmitted or temporarily stored or hosted; or

(b) the intermediary does not—

(i) initiate the transmission,

(ii) select the receiver of the transmission, and

(iii) select or modify the information contained in the transmission;

(c) the intermediary observes due diligence while discharging his duties under this Act and also observes such other guidelines as the Central Government may prescribe in this behalf.

(3) The provisions of sub-section (1) shall not apply if—

(a) the intermediary has conspired or abetted or aided or induced, whether by threats or promise or otherwise in the commission of the unlawful act;

(b) upon receiving actual knowledge, or on being notified by the appropriate Government or its agency that any information, data or communication link residing in or connected to a computer resource controlled by the intermediary is being used to commit the unlawful act, the intermediary fails to expeditiously remove or disable access to that material on that resource without vitiating the evidence in any manner.

Explanation— For the purposes of this section, the expression ‘third party information’ means any information dealt with by an intermediary in his capacity as an intermediary.”

20. Further, Section 79(1) of the IT Act has an overriding effect by virtue of Section 81 of the IT Act. Section 81 provides in relevant part:

“The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Provided that nothing contained in this Act shall restrict any person from exercising any right conferred under the Copyright Act, 1957 (14 of 1957) or the Patents Act, 1970 (39 of 1970).”

21. The Instagram Service is merely a platform wherein third parties may upload content. As stated above, Meta is neither the author nor the publisher of any third-party content on the Instagram Service, including the Contested Content. Further, Meta has no role in initiating transmissions, selecting the receiver of any transmissions, and/or selecting or modifying the information contained in any transmissions of third-party accounts. Therefore, Meta is protected under Section 79(1) of the IT Act, and the Suit is not maintainable against Meta since it is not liable for any third-party information, data, or communication link made available or hosted on the Instagram Service.
22. While there is an exception to this immunity, that exception does not apply here. In the case of *Shreya Singhal*, the Hon’ble Supreme Court held that an intermediary’s liability for third-party content on its platform arises only where the intermediary, upon receiving “actual knowledge” from a valid court order or upon being notified by the appropriate Government agency that unlawful acts relating to Article 19(2) of the Constitution of India are going to be committed,

fails to action such material. As such, under *Shreya Singhal*, an intermediary is only required to act upon receipt of a valid court order or request from an authorized Government agency, and cannot be held liable before such receipt.

23. The Hon'ble Delhi High Court's decision in *Amazon Seller Services Pvt. Ltd. v. Amway India Enterprises Pvt. Ltd. & Ors.*, FAO (OS) 133/2019, also recognized the Hon'ble Supreme Court's holding in *Shreya Singhal* that the “*obligation of an intermediary to remove content under Section 79(3)(b) of the IT Act arises only if there is a Court order or a notification from a government agency on the grounds mentioned under Article 19(2) of the Constitution.*” (*Amazon Seller Services*, para 128). This Hon'ble Court further clarified that the safe harbor provided to intermediaries under Section 79 of the IT Act is an affirmative defence, and not an enforceable provision. (*Id.* at paras 123-24). In other words, plaintiffs must first establish that the intermediary defendants' activities violated their rights, and that the intermediaries acted in contravention of Section 79 of the IT Act. In the present case, the Applicant has failed to discharge this burden.
24. Here, Applicant has not established that Meta's activities have violated his rights, or that Meta has acted in contravention of the IT Act. Accordingly, Applicant has failed to establish that the protection under Section 79 read with Section 81 of the IT Act is not available to Meta. Further, even if Applicant had raised a plausible claim of violation of his rights by Meta (which he has not done), Meta is protected under the safe

harbor available to intermediaries under Section 79 of the IT Act because it lacks “actual knowledge” of any unlawful content. Moreover, there is no specific averment in the Plaint regarding any failure on Meta’s part to comply with either Section 79(2) or Section 79(3) of the IT Act.

25. In view of the above, the Suit may be dismissed on the ground that Applicant has not shown any cause of action against Meta.

C. META HAS NO OBLIGATION TO PROACTIVELY MONITOR THE INSTAGRAM SERVICE

26. In the Interim Application, Applicant requests for an order broadly directing Meta to restrain “[...] *from uploading or allowing to upload any new defamatory content targeting the Plaintiff till final disposal of the suit[...]*”. However, Applicant has failed to adequately identify **all** instances of the Contested Content through URLs. Consequently, Applicant’s requested relief(s) would require Meta to proactively monitor the Instagram Service to identify such content and action them. Such a direction, however, would be contrary to the Hon’ble Supreme Court’s holding in *Shreya Singhal*.
27. The Hon’ble Supreme Court in *Shreya Singhal* held that intermediaries do **not** have a duty to either (a) proactively monitor their platforms for unlawful content; or (b) action content upon receiving notice from an individual that the content is allegedly unlawful. Recognizing that intermediaries cannot be tasked with judging which material on their platforms is lawful or unlawful, the Hon’ble Supreme Court

instead clarified that intermediaries only have a duty to action unlawful content upon receiving “actual knowledge” through a court order sufficiently identifying the content that is unlawful:

*“Section 79(3)(b) has to be read down to mean that the intermediary upon receiving **actual knowledge** that a **court order** has been passed asking it to expeditiously remove or disable access to **certain material** must then fail to expeditiously remove or disable access to that material. This is for the reason that otherwise it would be **very difficult** for intermediaries like Google, Facebook etc. to act when millions of requests are made and the intermediary is then **to judge as to which of such requests are legitimate and which are not.**”* (Shreya Singhal, para 122; please refer to para 124.3 for the same effect; emphasis added).

28. The Hon’ble Supreme Court affirmed this view in *Google India Private Limited v. Visakha Industries & Anr.*, 2019 SCC OnLine SC 1587, holding that a contrary view would improperly transform intermediaries into “*super censors*” and violate the fundamental right to freedom of speech and expression. (*Google India*, para 53).
29. Recently, the Hon’ble Bombay High Court affirmed this view in *Sanu Bhattacharjee @ Kumar Sanu v. Rita Bhattacharya & Ors.*, Suit (L) No. 37043 of 2025 (“*Sanu Bhattacharjee*”), in its order dated 4 March 2026. In *Sanu Bhattacharjee*, the plaintiff requested the Hon’ble Bombay High Court to direct Meta to block “*all*” instances of defamatory content on its

platforms and ensure that it is not re-uploaded and re-circulated. The Hon'ble Bombay High Court *refused* to grant this request and held that such a direction would necessarily require intermediaries like Meta to engage in proactive monitoring of large volumes of content and determine its legality, all of which is contrary to the framework under Section 79 of the IT Act:

“A plain reading of the prayer clauses “c” and “d” indicates that Plaintiff seeks removal, deletion or blocking of “all” defamatory content, posts, interviews and related material circulating on digital platforms coupled with ensuring that the impugned material / content is not reuploaded, re-posted or circulated in any form. The expression “all” and ensuring of impugned material from being re-uploaded, re-posted or circulated in any form, as employed in the said prayer clauses, is extremely wide and broad in its formulation and if granted in the manner sought, would impose an indeterminate and continuing obligation upon the intermediary platforms to identify, determine and remove unspecified content. In this regard, I am of the opinion that if such a direction, if granted in its sweeping form, would necessarily require Defendant Nos.2 and 3 to undertake proactive monitoring of large volumes of third-party content and most importantly require to independently determine whether the particular content is defamatory or otherwise objectionable. Thus such exercise would effectively require the

intermediary platforms to assume the role of an adjudicator of legality of speech and censor or a legal watchdog, which in my opinion is clearly impermissible and contrary to the statutory framework governing intermediaries under Section 79 of the Information Technology Act, 2000.” (Sanu Bhattacharjee, para 15 of order dated 4 March 2026; emphasis added)

30. Accordingly, Meta has no obligation to proactively monitor the Instagram Service for the Contested Content or any other defamatory content, and the Applicant’s requested relief(s) may be denied.

D. APPLICANT MUST IDENTIFY ALL INSTANCES OF THE CONTESTED CONTENT BY URLS

31. Without prejudice to the above, the Applicant must identify all the Contested Content allegedly uploaded on the Instagram Service by URLs. Here, Applicant has not identified all instances of the Contested Content allegedly available on the Instagram Service by URLs. Instead, Applicant requests for an order broadly directing Meta to “[...] *immediately remove, take down, block access and prevent circulation [...]*” of the Contested Content without specifically identifying all such content via URLs. In the absence of a URL for each specific instance of the Contested Content allegedly available on the Instagram Service, this Hon’ble Court cannot consider its lawfulness and, if appropriate, direct Meta to action it.

32. Every webpage has a unique address on the internet, *i.e.*, a URL, which is a standardized protocol to identify and locate content and other resources on the Internet. When issuing orders directing intermediaries to action unlawful content, courts have (i) directed plaintiffs to specify the URLs of the unlawful content for the courts' determination; and (ii) where unlawful, issued orders specifying the URLs that intermediaries must action. Such orders are consistent with the existing legal framework and balance the interests of the plaintiffs and the publishers of the at-issue content by ensuring that only specific and identified content that is determined unlawful is actioned and that lawful speech is not impacted. Meta routinely complies with valid court orders specifying the unlawful content to be actioned by URLs.
33. Indeed, the Hon'ble Karnataka High Court set aside the Ld. Bangalore City Civil Court's interim order directing Meta to action content without identifying the same by URL in its order dated 17 February 2021 in *Facebook, Inc. v. Sharmila Mandre & Ors.*, MFA No. 796 of 2021. In *Sharmila Mandre*, the Hon'ble Karnataka High Court explained that Meta is "*undisputedly an intermediary only which is bound to take necessary steps to remove/take down the URLs only pursuant to an order of the Court directing [Meta] to take down/remove the said URLs.*" (*Sharmila Mandre*, para 8; emphasis added). On this basis, the Hon'ble Karnataka High Court held that the Ld. Bangalore City Civil Court's interim order was "*clearly contrary*" to the Hon'ble Supreme Court's decision in *Shreya Singhal* to the extent it required Meta to action content without identifying "*specific URLs furnished*

to the trial court by the plaintiff.” (Id. at para 7; emphasis added).

34. Further, the Hon’ble Bombay High Court recently *refused* to issue an order directing Meta to action content that was not identified by URLs in *Sanu Bhattacharjee*. In that case, the Hon’ble Bombay High Court noted that “*determination of whether a particular statement / content is defamatory is a matter which squarely falls within the judicial domain and cannot be delegated to the intermediary platforms*”, and accordingly ruled that “*directions for removal [of content] must necessarily be confined to clearly identifiable URLs [...], which has been placed on record and duly considered by the Court*”. (Para 16 of order dated 4 March 2026; emphasis added).
35. In the absence of an identified URL for each specific instance of the Contested Content allegedly available on the Instagram Service, this Hon’ble Court cannot consider its lawfulness and, if appropriate, direct for its removal. As stated earlier, the law recognizes this fact.

E. APPLICANT IMPROPERLY SEEKS TO ACT AS THE JUDGE OF HIS OWN CAUSE BY REQUESTING THIS HON’BLE COURT TO PERMIT HIM TO DIRECTLY APPROACH META FOR REMOVAL OF CONTENT

36. In the Complaint, Applicant requests that this Hon’ble Court permit Applicant to directly approach Meta for removal of the Contested Content. As explained above, such a direction would contravene the IT Act and the Hon’ble Supreme

Court's decision in *Shreya Singhal*, which expressly held that intermediaries may not be compelled to block content based on a user's complaints. Rather, an intermediary is only required to action unlawful content pursuant to a court order or an order from an appropriate Government agency that clearly and specifically identifies the at-issue content.

37. Indeed, this principle applies strictly to allegedly defamatory content given the clear regulatory intent to this effect evinced by the 2022 amendments to the 2021 IT Rules. Specifically, the Central Government amended Rule 3 of the 2021 IT Rules to remove any obligation on intermediaries (such as Meta) to unilaterally assess and remove defamatory content on their platforms.
38. Notably, the Hon'ble Bombay High Court's *refusal* to issue an order directing Meta to action content that was not specifically identified by URLs in the materials placed before the Hon'ble Court in *Sanu Bhattacharjee* reinforces this position. As noted above, the Hon'ble Court held that “*determination of whether a particular statement / content is defamatory is a matter which squarely falls within the judicial domain and cannot be delegated to the intermediary platforms”*, and accordingly ruled that “*directions for removal [of content] must necessarily be confined to clearly identifiable URLs [...], which has been placed on record and duly considered by the Court*”. (Para 16 of order dated 4 March 2026; emphasis added).
39. Further, a direction allowing Applicant's request to directly approach Meta for removal of “[...]same or similar false and

defamatory statements or imputations against the Plaintiff[...]” would impermissibly provide Applicant with unilateral power to deem content unlawful, and to direct Meta to action such content without this Hon’ble Court’s review or adjudication. Such grant of power to Applicant directly contradicts the notions of fairness and due process. Applicant is naturally incentivized to request removal of content that may be adverse to his interest, even if it is lawful and protected speech under Indian law and could result in the infringement of others’ rights, such as the right to the freedom of speech and expression guaranteed under the Constitution of India. Applicant’s request, if granted, would allow Applicant to be both judge and jury in its own cause, which would violate the well-settled principle of *nemo iudex in causa sua*.

40. Accordingly, Meta submits that Applicant’s prayer requesting this Hon’ble Court to permit Applicant to directly approach Meta for removal of the Contested Content should be denied.

F. APPLICANT’S REQUEST FOR GLOBAL BLOCKING OF CONTESTED CONTENT SHOULD BE DENIED

41. Applicant’s request for an order broadly directing Meta to *globally* takedown the Contested Content should be denied for the reasons explained in detail below.

I. *The validity of global injunctions is sub judice before a Division Bench of this Hon’ble Court*

42. The validity of an order directing intermediaries to globally block content is currently *sub judice* before a Division Bench of this Hon’ble Court in an appeal titled *Facebook, Inc. v.*

Swami Ramdev & Anr., FAO (OS) 212/2019 (“**Appeal**”). The Appeal, which was admitted on 31 October 2019, was filed against this Hon’ble Court’s order dated 23 October 2019 in *Swami Ramdev & Anr. v. Facebook, Inc. & Ors.*, CS (OS) 27/2019 (“**Ramdev suit**”), directing the intermediary defendants to globally block the content at issue in the *Ramdev suit*. The Applicants in the *Ramdev suit* have undertaken not to initiate contempt proceedings against the intermediary defendants for non-compliance with the global injunction while the Appeal is pending. Accordingly, the global injunction issue in the Appeal has been effectively stayed while the Appeal is pending. Indeed, several other Courts have declined to grant a global injunction for this very reason, including:

- a. This Hon’ble Court’s order dated February 18, 2026 in *Swami Ramdev v. John Doe (s) & Ors.*, CS(COMM) 147/2026;
- b. This Hon’ble Court’s order dated September 15, 2020 in *Operation Mercy India Foundation & Ors. v. Facebook Inc. & Anr.*, CS(OS) 262/2020; and
- c. This Hon’ble Court’s order dated June 1, 2020 in *Patanjali Ayurved Ltd. & Anr. v. Sobhagya Media Pvt. Ltd. & Ors.*, CS(OS) 135/2020.

Consequently, it is humbly submitted that Applicant’s request for a global injunction against the Contested Content should not be granted pending adjudication of the Appeal.

43. Notably, Meta has not globally blocked the at-issue content in the *Ramdev suit*, and the plaintiffs who obtained the global

blocking order at issue in the Appeal have undertaken not to initiate contempt proceedings against Meta and other intermediaries for non-compliance with that order while the Appeal is pending. Put differently, the global injunction at issue in the Appeal has been effectively stayed while the Appeal is pending.

44. Finally, Meta respectfully submits that the specific question now arising for consideration does not appear to have been raised or argued in the *Ramdev suit*, nor does it appear that the relevant statutory framework governing the issue of extraterritorial injunctions was duly considered in the said Suit. Meta reserves its rights to make additional submissions in this regard as and when required. Meta reserves its rights to make additional submissions in this regard as and when required.

II. *Indian Law, including the IT Act which is territorial in nature, does not allow for global injunctions*

45. Applicant, a Dubai-based entrepreneur, seeks to invoke the jurisdiction of Indian courts to restrict access to content for individuals outside India, even if such content is lawful (and is not subject to removal) in those jurisdictions. This raises serious concerns about extraterritorial overreach and would allow a single nation to effectively dictate what users around the world may access online.
46. Such a precedent not only has no basis in the law, but is also dangerous. For example, a foreign company distributing products globally, including in India, could obtain a court

order from the country of the content uploader to suppress information about public health risks associated with its products in other parts of the world on the basis that it is defamatory – even where that information may be lawful and protected speech. Similarly, an individual wanted for certain offences in India could obtain a court order from the country of an alleged uploader to suppress information pertaining to their crimes in India on the basis that it is defamatory, preventing accessibility to such information in India and across the globe – even where such information may be lawful and in the public interest. The result of such actions would be to deny individuals in other countries, including India, access to critical information. This underscores the broader risk: allowing one jurisdiction to impose global content restrictions may undermine access to lawful and important information across borders. Applicant should not be allowed to use the Indian courts to preclude those in other countries from accessing content that may be lawful in their jurisdictions.

47. Importantly, Indian law does not allow for this risk as it does not allow for global injunction orders, as set forth below.
48. *First*, the IT Act does not confer jurisdiction on Indian courts to issue global injunction orders. Indian law is well-settled that a statute only has territorial application, unless it expressly provides otherwise. This presumption against extraterritorial operation of statutes has been repeatedly recognized by the Hon'ble Supreme Court, such as in the cases of *Vodafone International Holdings BV v. Union of India*, 2012 (6) SCC 6130 (recognizing the presumption that

“laws made by a country are intended to be applicable to its own territory”); *GVK Inds. Ltd. and Ors. v. The Income Tax Officer and Ors.*, (2011) 4 SCC 36; *British India Steam Navigation v. Shanmughavilas Cashew*, (1990) 3 SCC 481 at para 19 (*“In general, a statute extends territorially, unless the contrary is stated, throughout the country”*); *Haridas Exports v. All India Float Glass Manufacturers*, (2002) 6 SCC 600 at paras 57, 64, and 73; *Jagir Kaur v. Jashwant Singh*, AIR 1963 SC 1521 at para 9 (*“If so, when sub-Section (8) of Section 488 of the Code, prescribing the limits of jurisdiction, speaks of the last residence of a person with his wife, it can only mean his last residence with his wife in the territories of India.”*); *C.I.T, Kerala v. Malayalam Plantation*, AIR 1964 SC 1722 at para 5.

49. Nothing in Section 79(3)(b) of the IT Act, which requires intermediaries like Meta to take down content on receipt of valid court orders to maintain their safe harbour immunity, allows for its extraterritorial application. Since the IT Act does not expressly provide for extraterritorial application of Section 79(3)(b), it should be interpreted as only having territorial application. As a result, the phrase *“remove or disable access to that material on that resource”* in Section 79(3)(b) can only mean *“remove or disable access to that material”* **in India**.
50. The only provisions in the IT Act that expressly provide for extraterritorial application of the IT Act are Sections 1(2) and 75.
51. Section 1(2) and Section 75 of the IT Act provide:

“Section 1(2) - It shall extend to the whole of India and, save as otherwise provided in this Act, it applies also to any offence or contravention thereunder committed outside India by any person.”

“Section 75 - (1) Subject to the provisions of sub-section (2), the provisions of this Act shall apply also to any offence or contravention committed outside India by any person irrespective of his nationality.

(2) For the purposes of sub-section (1), this Act shall apply to an offence or contravention committed outside India by any person if the act or conduct constituting the offence or contravention involves a computer, computer system or computer network located in India.”

52. These provisions provide that extra-territorial application of the IT Act is limited only to (i) offences listed in the IT Act; and (ii) violations of the IT Act itself. Neither of these two provisions apply here. First, the offence at issue in the Suit is the alleged defamation of the Applicant, which is not an offence listed under the IT Act. Hence, a global injunction should not be issued in the Suit, including the Interim Application.
53. *Second*, global injunctions in cases such as the present one are impermissible under the scheme of the Constitution. The Hon’ble Supreme Court has held that since the right to freedom of speech and expression under Article 19(1)(a) of the Constitution is available to Indian citizens within India, any restrictions on this right (including that of **defamation** under Article 19(2)) must apply territorially. Indeed, in *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248 at para 23, the Hon’ble Supreme Court held that “*since State action*

cannot have any extra territorial operation, except perhaps incidentally in case of Parliamentary legislation, it is only violation within the territory that can be complained of by an aggrieved person.” The concurring opinion of Justice Y.V. Chandrachud (as he then was) in *Maneka Gandhi (Id* at paras 52, 53) further clarifies that the exercise of freedom of speech and expression beyond the territories of India will be subject to the laws of the country in which it is intended to be exercised. It was also held that “*the state can undoubtedly impose reasonable restrictions on fundamental freedoms under clauses (2) to (6) of Article 19 and those restrictions, generally, have a territorial operation.*” (emphasis supplied). The said principle would equally apply to a Court order imposing a restriction on free speech in a case of alleged defamation (Article 19(2)), such as the present one.

III. *A Global Injunction Violates International Comity and Undermines Meta’s Immunity in Other Jurisdictions, Unlike an Order to Geo-block Content*

a. A Global Injunction Violates Principles of National Sovereignty and International Comity

54. There are more than 1 billion users of the Instagram Service worldwide who can post and share content, and can register millions of “likes” and “comments” throughout the world. Each jurisdiction has different laws, and content that is unlawful in some jurisdictions may be lawful and indeed protected in others, and vice versa. Against this backdrop, when faced with a showing that certain identified content violates a specific jurisdiction's laws, Meta may disable access

to the at-issue content in that jurisdiction, *i.e.*, geo-block the at-issue content. Applicant, however, improperly seeks an order that would impose a single country's defamation laws and free speech standards on the rest of the world.

55. Meta respectfully submits that an order directing intermediaries to block content globally violates established principles of national sovereignty and international comity. These principles instruct Indian courts to avoid interpreting domestic laws in ways that interfere with foreign laws and interests. Indeed, the Hon'ble Supreme Court has recognized that Indian courts must strive to interpret Indian laws to avoid conflict with foreign laws and to exercise restraint when their actions might interfere with the laws of other nations. See *Gramophone Company of India Ltd. v. Birendra Bahadur Pandey and Others*, (1984) 2 SCC 534; *Veb Deutfracht Seereederei Rostock v. New Central Jute Mills Co. Ltd. & Anr.*, (1994) 1 SCC 282 (citing Article 2(1) of the Charter of the United Nations, recognizing the sovereign equality of all nation states); and *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248.

56. Here, the issue is whether an intermediary may be ordered to remove content adjudicated to be unlawful under Indian law not only for users of the Instagram Service in India, but worldwide. Such an order directing the censorship of speech worldwide is likely to interfere with the laws of other nations, where the speech may be lawful. In effect, allowing global removal injunctions would reduce access to information

worldwide to the standard of a single, and potentially more speech-restrictive, jurisdiction.

57. Globally blocking content based on one country's views on its unlawfulness would encourage a so-called "*race-to-the-bottom*," with the country with the most restrictive laws dictating what content is available to users throughout the world. *See Google, LLC v. CNIL* (Advocate General's opinion of 10 January 2019). Moreover, directions to globally block content would also lead to the imposition of one country's legal rights and standards, including on free speech, freedom of press, access to information, and reputational interests - on other nations and their citizens, and therefore unduly interfere with foreign laws, foreign interests, and the rights of foreign citizens.
58. Foreign courts have recognized the importance of international law when assessing requests for global injunctions. For example, the Court of Justice of the European Union ("CJEU") held in *Google v. CNIL* that a search engine's obligation to de-reference (*i.e.*, remove at-issue links from search engine domains) was limited to the borders of the European Union and did not extend worldwide. Recognizing the importance of balancing the right to privacy against the right to information, the standards of which vary significantly throughout the world, the CJEU found that limiting the territorial scope of its order struck the appropriate balance.
59. This holding was echoed by the opinion of the European Union's Advocate General, Mr. Maciej Szpunar, who noted that orders with extraterritorial effect would only be

permissible when courts are protecting “*human rights which form the basis of any State governed by the rule of law and from which **no derogation is possible.***” (Emphasis added). In other words, global take-down orders are appropriate only if the international human rights standard favours one party and no other state would hold otherwise - a standard that clearly does not extend to the reputational rights and alleged defamation at issue here.

60. The CJEU’s decision on the issue in *Eva Glawischnig-Piesczek v. Facebook Ireland Limited* (the “**Green Party Case**”) also recognized that international law concerns are paramount in cases involving requests for global injunctions. In the *Green Party Case*, the CJEU held that any consideration of a potential global injunction must account for “*relevant international law.*”
61. Here, relevant international laws, such as Article 2 (1) of the United Nations Charter (recognizing national sovereignty) and general principles of national sovereignty and international comity, as well as Article 19 of the Universal Declaration of Human Rights (recognizing free speech rights), weigh heavily against a global injunction.
62. Indeed, in the Green Party Case, Mr. Szpunar emphasized that “*in the interest of international comity . . . [a national] court should, as far as possible, limit the extraterritorial effects of its junctions concerning harm to private life and personality rights. The implementation of a removal obligation should not go beyond what is necessary to achieve the protection of the injured person. Thus, instead of removing the content, that*

court might, in an appropriate case, order that access to that information be disabled with the help of geo-blocking.” That is precisely what should be done here.

63. A global blocking order would, thus, violate well-settled principles of comity and national sovereignty.
 - b. A Global Blocking Order for Defamatory Content would Undermine Meta’s Immunity in Other Jurisdictions
64. A global injunction against the allegedly defamatory At-Issue URLs would impose Indian defamation law on a global basis and violate international comity by depriving Meta of its intermediary immunity in other jurisdictions. For example, complying with an extraterritorial injunction for removal of content would undermine Meta’s immunity under Section 230 of the U.S. Communications Decency Act 1966, which immunises providers of interactive computer services from liability arising from content created by third-parties.
65. For this reason, foreign jurisdictions commonly regard global injunction orders as unenforceable and refrain from issuing global injunction orders in the first instance.
66. In *Google LLC v. Equustek Solutions Inc.*, No. 5:17-cv-04207-EJD, Google requested the United States District Court for the Northern District of California to prevent enforcement of a Canadian court order compelling Google to globally remove search results for particular websites. The U.S. District Court barred enforcement of the Canadian court removal order on the grounds that: (1) the Canadian order harmed Google by eliminating intermediary immunity

otherwise available to Google, thereby depriving it of the benefits of U.S. law; (2) the balance of equities weighed in Google's favour; and (3) the Canadian order undermined U.S. public policy and threatened free speech.

67. The *Equustek* opinion is particularly pertinent here, as a global blocking order would put Meta in an untenable position of either removing content on a global basis notwithstanding its immunities and obligations under global laws (e.g., the intermediary immunity available under U.S. law) or facing adverse consequences for non-compliance if it removes the content only in India.

68. Similarly, in its decision in *Niemela v. Malamas*, 2015 BCSC I 024, the Supreme Court of British Columbia in Canada refused to direct Google to block defamatory content on a global basis, acknowledging the harm caused by requiring intermediaries to block online content globally and the concerns with enforcing such orders, particularly in jurisdictions like the United States. Specifically, the court recognized that intermediaries are not able to comply with foreign orders compelling them to block defamatory content in the United States, which would undermine immunities available under U.S. law and infringe the right to free speech under the U.S. Constitution.

c. Geo-blocking Protects National Laws and Respects International Comity

69. Meta respectfully submits that geo-blocking the identified instances of the Contested Content on the Instagram Service,

pursuant to a direction by this Hon'ble Court, would sufficiently protect the reputational interests of Applicant, and in fact, is the only way to do so while respecting principles of international comity and national sovereignty, including India's own sovereignty.

70. Unlike a global injunction, geo-blocking respects international comity by protecting the application of national laws within each nation's territory. Geo-blocking ensures that Applicant's reputational interests are protected throughout the nation where Applicant chooses to initiate such a proceeding. Further, geo-blocking achieves this protection without interfering with foreign policies, laws, rights, and citizens, *e.g.*, without endangering freedom of expression and other fundamental rights, including the right to access information, of users in other countries where the same content may be lawful and protected.
71. Indeed, geo-blocking actually protects the application of India's national laws, and the long-standing principle that foreign courts should not be permitted to interfere with India's sovereignty. If Meta were forced to comply with similar global injunctions from other countries, it may end up removing content in India that is fully lawful in India, thus undermining the free speech protections India affords to its people. In effect, courts in other jurisdictions would be adjudicating free speech standards for people in India.
72. Indian law seeks to ensure that courts outside India do not interfere with India's sovereignty in this manner. Section 13 of the CPC sets forth the circumstances under which Indian

courts may disregard foreign judgments. One such instance is when the foreign judgment fails to consider applicable Indian law. If foreign courts are permitted to issue global injunctions like the one sought here, those foreign courts would effectively be imposing their free-speech standards on India while disregarding Indian free-speech laws and standards. Such foreign decisions would be unenforceable in India in view of Section 13 of the CPC; however, compliance with such global blocking orders would have the effect of circumventing Section 13 of the CPC.

73. Geo-blocking is also consistent with the Hon'ble Supreme Court's recognition that issues involving freedom of expression require a balancing test that weighs conflicting rights against each other. See, e.g., *Subramanian Swamy v. Union of India & Ors.*, (2016) 7 SCC 221. The appropriate balance often varies with the nature and context of the speech, including where the speech was made, which person may have been harmed by the speech, the nature of that harm, and the importance of not unduly hindering the rights of citizens to access that information, including citizens outside the jurisdiction of the court. In fact, recognising these concerns, the Hon'ble Karnataka High Court in *ITC Limited v Mr. Vinay Gupta and Anr* 2025:KHC:18166-DB declined to grant the plaintiff's request for global-blocking of unlawful content and instead directed them to block unlawful content only within the territory of India.

d. A Global Injunction's Violation of International Comity is Particularly Problematic Because It Impacts Freedom of Expression

74. Meta respectfully submits that the importance of national sovereignty and international comity is amplified where, as here, individuals' right to freedom of expression is impacted. These principles are equally important from the perspective of citizens' rights to freely access information, which many nations recognize as an integral aspect of the right to freedom of expression. See, e.g., *Board of Education v. Pico*, 451 U.S. 853, 867 (1982) (“*The right of freedom of speech and press embraces the right to distribute literature, and necessarily protects the right to receive it. The dissemination of ideas can accomplish nothing if otherwise willing addressees are not free to receive and consider them.*”); Article 19 of the Universal Declaration of Human Rights (1948) (stating that the right to freedom of expression encompasses the freedom “*to seek, receive and impart information and ideas through any media and regardless of frontiers*”).
75. Different nations have different laws and legal standards for resolving conflicts between the right to free speech and the right to protect one's self from defamatory content, each based on their particular history, traditions, values, and political systems. As a result, the balance struck between protecting freedom of expression and access to information, on the one hand, and protecting reputational interests on the other hand, differ materially around the world.

76. As such, even if the allegedly Contested Content on the Instagram Service is deemed defamatory in India, it may not be unlawful (and may actually constitute protected speech) in other jurisdictions. For example, in the United States, the First Amendment of the U.S. Constitution affords free speech protections under which offensive and insulting language rarely rises to the level of defamation. As another example, U.K. law tends to categorise offensive and insulting language as “*vulgar abuse*” that does not rise to the level of defamation. See, e.g., *Deana Uppal v. Endemol UK Limited* (2014) EWHC 1063 (QB). Even within the European Union, defamation laws vary significantly, and harmonisation is thus neither realistic nor desirable. See also The Law Commission (U.K.), Scoping Study No. 2, *Defamation and the Internet: A Preliminary Investigation*, at 33-39 (Dec. 2002), available at [http://www./awcom.gov.uk/app/uploads/2015/03/Defamation_and_the_Internet_Scoping.pdf](http://www.awcom.gov.uk/app/uploads/2015/03/Defamation_and_the_Internet_Scoping.pdf); Int’l Press Institute, *Out of Balance, Defamation Law in the European Union* (January 2015), Annex Chart F, available at <http://legaldb.freemedia.at/wpcontent/uploads/2015/05/IPI-OutofBalance-Final-Jan2015.pdf>.
77. The stark difference in free speech standards across jurisdictions is aptly illustrated by conflicting stances taken by courts in India and the United States on whether a 2013 film titled “*Innocence of Muslims*” constituted protected speech. This Hon’ble Court’s decision in *Maulana Mahmood Asad Madani v. Union of India*, WP (C) 7545/2012, directed that the film be blocked based on restrictions Indian law places on freedom of speech, while the U.S. Court of Appeals for the

Ninth Circuit's decision in *Garcia v. Google, Inc.*, 786 F.3d 733 (9th Cir. 2015), held that the film was protected speech under U.S. law and allowed its continued dissemination.

78. In fact, defamation orders are often unenforceable in foreign jurisdictions due to conflict of law issues, among other reasons. For instance:
- a. The Securing the Protection of Our Enduring and Established Constitutional Heritage Act (“**SPEECH Act**”) (28 U.S.C. §§ 4101-4105) provides that foreign defamation orders will not be enforced in the United States unless (1) the issuing court provided at least the same protections for free speech as a U.S. court would provide, or (2) the defendant would have been found liable for defamation in a U.S. court applying state and federal law. The SPEECH Act is just one example of a statutory hurdle to enforcing a global injunction order outside India.
 - b. In *Bachchan v. India Publs.*, 154 Misc. 2d 228 (N.Y. Misc. 1992), the Supreme Court of New York refused to enforce an English court’s judgement, finding that enforcement would have a chilling effect on free speech under the U.S. Constitution because English law (like Indian law) placed the burden on defamation defendants to prove the truth of the allegedly defamatory statements, and was therefore, inconsistent with U.S. free speech principles (which place the burden on the Applicant to prove the falsity of the at-issue content). The court in *Bachchan* observed that:

*“[i]t is true that England and the United States share many common-law principles of law. Nevertheless, a **significant difference between the two jurisdictions lies in England's lack of an equivalent to the First Amendment to the US Constitution.** The protection to free speech and the press embodied in that amendment would be seriously jeopardised by the entry of foreign libel judgments granted pursuant to standards deemed appropriate in England but considered antithetical to the protections afforded the press by the US Constitution.”* (Emphasis added).

- c. The decision of the Supreme Court of New South Wales in Australia in *Macquarie Bank Limited v. Berg*, (1999) NSWSC 526, demonstrates the general reluctance of courts around the world to issue global injunctions in defamation cases in light of conflict of law issues and the inability to enforce such orders. The court in *Macquarie Bank* refused to issue a global injunction order for defamatory online content, finding that global defamation injunctions improperly superimpose the defamation law of one jurisdiction on every other state, territory, and country of the world:

*“The difficulties are obvious. An injunction to restrain defamation in NSW is designed to ensure compliance with the laws of NSW, and to protect the rights of plaintiffs, as those rights are defined by the law of NSW. **Such an injunction is not designed to superimpose the law of NSW relating to defamation on every other state, territory and country of the world.** Yet that would be the effect of an order restraining publication on the Internet. It is not to be assumed that the law of defamation in other countries is*

coextensive with that of NSW, and indeed, one knows that it is not. It may very well be that, according to the law of the Bahamas, Tazhakistan, or Mongolia, the defendant has an unfettered right to publish the material. To make an order interfering with such a right would exceed the proper limits of the use of the injunctive power of this court.” (Emphasis added).

- d. The Court of Appeals of Maryland’s decision in the case *Telnikoff v. Matusevitch*, 702 A.2d 230 (1997), declined to recognize an English libel judgement due to differences in defamation law that rendered the judgement contrary to Maryland’s public policy on freedom of the press and defamation actions. The court in *Telnikoff* observed:

“A comparison of English and present Maryland defamation law does not simply disclose a difference in one or two legal principles..... Instead, present Maryland defamation law is totally different from English defamation law in virtually every significant respect. Moreover, the differences are rooted in historic and fundamental public policy differences concerning freedom of the press and speech.” (Emphasis added).

79. These decisions demonstrate how local considerations, such as how well-known an individual is, how newsworthy and controversial their views are, and the historical context of the statements at issue, influence the balance struck with respect to defamation claims. See, e.g., *Bachchan v. India Publs.*, 154 Misc. 2d 228 (N.Y. Misc. 1992) (summarising distinctions between English and U.S. law and noting that unlike U.S. law, “English law does not distinguish between private persons and those who are public figures or are involved in matters of

public concern [...] No plaintiff is required to prove that a media defendant intentionally or negligently disregarded proper journalistic standards in order to prevail.”).

80. In sum, as explained above, geo-blocking specific instances of the Contested Content on the Instagram Service would adequately protect Applicant’s interests and reputational rights, while promoting and respecting the principles of international comity and national sovereignty, including India’s own sovereignty. Therefore, Meta humbly requests this Hon’ble Court to deny the request for any global injunction.

IV. *Issues concerning global blocking injunctions can be avoided by directing the uploaders of the Contested Content to take it down.*

81. Applicant can seek removal of the Contested Content against Defendant Nos. 3 and 4, who allegedly published the allegedly Contested Content, including At-Issue URLs on the Instagram Service.

82. Indeed, a global removal of the allegedly Contested Content can be sought and enforced against Defendant Nos. 3 and 4, as removal of the said content by the respective publisher from the Instagram Service - if so directed by this Hon’ble Court - would automatically result in a global removal of the Contested Content.

83. Accordingly, any request for global removal of the allegedly Contested Content, including the At-Issue URLs on the Instagram Service, must be addressed by Defendant Nos. 3 and 4, *i.e.*, the users who allegedly uploaded the alleged

Contested Content, including the At-Issue URLs on the Instagram Service.

84. In view of the above Preliminary Submissions/Objections, the Suit and the Interim Application are clearly devoid of any merit and should be dismissed against Meta.
85. Without prejudice to the foregoing, Meta submits the following paragraph-wise response to the averments and allegations made in the Interim Application. At the outset, Meta repeats and reiterates all that is stated and contended hereinabove and further denies all that is contrary to what is stated herein and/or inconsistent therewith. Nothing stated in the Interim Application should be deemed to be admitted by Meta by reason of non-traverse.

PARAGRAPH-WISE REPLY

86. The contents of paragraph 1 of the Interim Application, to the extent they pertain to Meta, are wrong and denied, and Applicant is put to strict proof thereof. Meta specifically denies, for want of personal knowledge, that it has carried out any “*systematic, orchestrated and malicious campaign of defamation*” against Applicant as alleged or at all. Meta further denies that it has published or disseminated the Contested Content as alleged or at all on the Instagram Service or any other platform. The remaining contents of this paragraph do not pertain to Meta and are denied for want of knowledge, and Applicant is put to strict proof thereof. The contents of the Preliminary Submissions/Objections (outlined in paragraphs 11 to 82 above) and the Written Statement are reiterated and are not repeated herein for the sake of brevity.

87. The contents of paragraphs 2 and 3 of the Interim Application do not pertain to Meta and are denied for want of knowledge, and Applicant is put to strict proof thereof. The contents of the Preliminary Submissions/Objections (outlined in paragraphs 11 to 82 above), and the Written Statement are reiterated and are not repeated herein for the sake of brevity.
88. The contents of paragraphs 4 of the Interim Application are formal in nature and merit no response. The contents of the Preliminary Submissions/Objections (outlined in paragraphs 11 to 82 above) and the Written Statement are reiterated and are not repeated herein for the sake of brevity.
89. The contents of paragraphs 6 and 7 of the Interim Application, to the extent they pertain to Meta, are wrong and denied, and Applicant is put to strict proof thereof. Meta specifically denies, for want of personal knowledge, that it has circulated content branding the Applicant as “*bookie*”, “*hawala operator*” and “*mastermind of criminal syndicates*”. Meta further denies that any of its actions caused disparagement or defamation of the Applicant and his company, or caused damage to the Applicant’s reputation and goodwill. Meta specifically denies that it was required to verify or follow journalistic norms in connection with the Contested Content. The remaining contents of this paragraph do not pertain to Meta and are denied for want of knowledge, and Applicant is put to strict proof thereof. The contents of the Preliminary Submissions/Objections (outlined in paragraphs 11 to 82 above) and the Written Statement are reiterated and are not repeated herein for the sake of brevity.

90. The contents of paragraph 8 of the Interim Application, to the extent they pertain to Meta, are wrong and denied, and Applicant is put to strict proof thereof. Meta denies for want of personal knowledge that Defendant Nos. 1 to 21 or anyone else uploaded the Contested Content on the Instagram Service. The remaining contents of this paragraph do not pertain to Meta and are denied for want of knowledge, and Applicant is put to strict proof thereof. The contents of the Preliminary Submissions/Objections (outlined in paragraphs 11 to 82 above) and the Written Statement are reiterated and are not repeated herein for the sake of brevity.
91. The contents of paragraphs 9 to 14 of the Complaint, to the extent they pertain to Meta, are wrong and denied, and Applicant is put to strict proof thereof. Meta specifically denies that balance of convenience is in favor of the Applicant and against Meta or that Applicant has a strong *prima facie* case. Meta further denies that any of its actions has caused immediate, continuing or irreparable harm to the Applicant, as alleged or otherwise. Meta also denies that irreparable injury would be caused to the Applicant if the injunction as requested is not issued against it. Meta further denies that no prejudice would be caused to it if the injunction as requested is issued against Meta. The remaining contents of this paragraph do not pertain to Meta and are denied for want of knowledge, and Applicant is put to strict proof thereof. The contents of the Preliminary Submissions/Objections (outlined in paragraphs 11 to 82 above) and the Written Statement are reiterated and are not repeated herein for the sake of brevity.

92. The contents of paragraphs 15 to 22 of the Complaint, to the extent they pertain to Meta, are wrong and denied, and Applicant is put to strict proof thereof. Meta specifically denies that Applicant has made out any case for grant of a dynamic injunction as against Meta. Meta again denies that it has created or published the Contested Content, or that Applicant has made out any case of action as against Meta. Meta also denies that irreparable injury would be caused to the Applicant if the injunction as requested is not issued against it. Meta further denies that no prejudice would be caused to it if the injunction as requested is issued against Meta. The remaining contents of this paragraph do not pertain to Meta and are denied for want of knowledge, and Applicant is put to strict proof thereof. The contents of the Preliminary Submissions/Objections (outlined in paragraphs 11 to 82 above) and the Written Statement are reiterated and are not repeated herein for the sake of brevity.
93. The contents of the Prayer Clause of the Interim Application and the Affidavit, to the extent they pertain to Meta, are wrong and denied, and Applicant is put to strict proof thereof. Meta specifically denies that Applicant is entitled to any relief against Meta from this Hon'ble Court, much less the requested relief. The remaining contents of this paragraph do not pertain to Meta and are denied for want of knowledge, and Applicant is put to strict proof thereof. The contents of the Preliminary Submissions/Objections (outlined in paragraphs 11 to 82 above) and the Written Statement are reiterated and are not repeated herein for the sake of brevity.

In view of the foregoing submissions, Applicant is not entitled to any relief against Meta, whether prayed for or otherwise. Meta respectfully requests this Hon'ble Court to dismiss the Suit and the Interim Application against Meta with exemplary costs.


DEFENDANT NO. 23



VERIFICATION

Verified that the contents of the aforesaid Reply are true and correct to the best of my knowledge and are based on information derived from records. No part of it is false, and nothing material has been concealed therefrom.

Verified by me in San Francisco, United States of America on this 28th day of April 2026.


DEFENDANT NO. 23



THROUGH



VARUN PTHAK, ADVOCATE
ENROL NO. D/460/2007
SHARDUL AMARCHAND MANGALDAS & CO.
ADVOCATES FOR DEFENDANT NO. 23
216, AMARCHAND TOWERS
OKHLA INDUSTRIAL ESTATE
PHASE III- NEW DELHI- 110 020
TELEPHONE NO. +91 11 41590700

DATE: 28 APRIL 2026

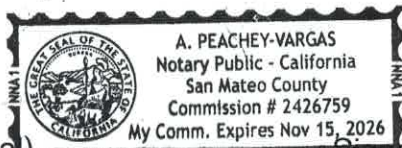
PLACE: NEW DELHI

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Francisco

Subscribed and sworn to (or affirmed) before me on this 28th
day of April, 2026, by Holly Gaudreau

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

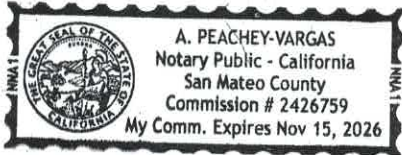
A handwritten signature in blue ink, consisting of several loops and a long tail, written over a horizontal line.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Francisco

Subscribed and sworn to (or affirmed) before me on this 28th
day of April, 2026, by Holly Gaudreau

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature 

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORDINARY ORIGINAL CIVIL JURISDICTION)

I.A. NO. 10423 OF 2026

IN

C.S. (OS) NO. 335 OF 2026

IN THE MATTER OF:

SATISH SANPAL

...PLAINTIFF

VERSUS

JAGRAN PRAKASHAN LIMITED AND ORS.


...DEFENDANTS


AFFIDAVIT

I, Holly Gaudreau, aged about 56 years, daughter of Larry Gaudreau, power of attorney holder of Meta Platforms, Inc. ("Meta"), Defendant No. 23, having its office at 1 Meta Way, Menlo Park, California 94025, United States of America, do hereby solemnly affirm and state as under:

1. I am the power of attorney holder of Meta, Defendant No. 23. I know the facts of the case, and am competent and authorized to sign the present affidavit on behalf of Meta.
2. I have perused the accompanying reply and state that the contents of the same are true to my knowledge and belief, and nothing material has been concealed therefrom. The legal submissions made therein are based upon legal advice received by me and believed to be correct.
3. All documents are true copies of their respective originals.

SOLEMNLY AFFIRMED IN SAN FRANCISCO, UNITED STATES OF AMERICA, ON THIS 28TH DAY OF APRIL 2026.

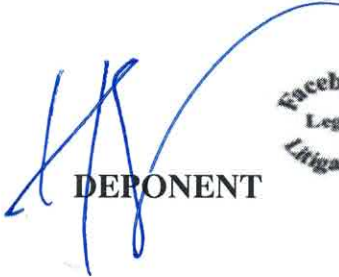

DEPONENT




VERIFICATION

I, Holly Gaudreau, the Deponent above named, do hereby verify that the contents of the aforesaid Affidavit are true and correct to the best of my knowledge and are based on information derived from records. No part of it is false, and nothing material has been concealed therefrom.

Verified by me in San Francisco, United States of America, on this 28th day of April 2026.


DEPONENT

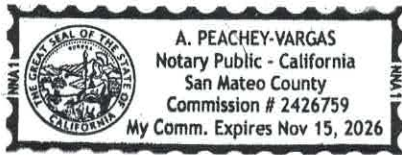


A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

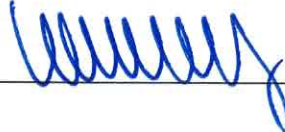
State of California
County of San Francisco

Subscribed and sworn to (or affirmed) before me on this 28th
day of April, 2026, by Holly Gaudreau

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

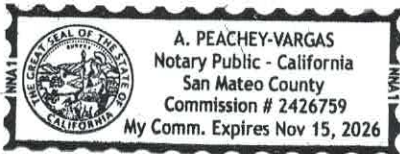
Signature 

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Francisco

Subscribed and sworn to (or affirmed) before me on this 28th
day of April, 2026, by Holly Gaudreau

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature 