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

+ **CS(COMM) 1110/2025 & I.A. 25761-25767/2025**

THE INDIAN HOTELS COMPANY LIMITEDPlaintiff

Through: Ms. Shwetasree Majumder, Mr. Prithvi Singh, Mr. Rohan Krishna Seth, Mr. Prithvi Gulati, Mr. Ritwik Marwaha, Advs.

versus

JOHN DOE AND ANR

.....Defendants

Through: Mr. Varun Pathak, Ms. Sana Banyal, Ms. Nivedita Sudheer, Advs. for D-2

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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15.10.2025

I.A. 25762/2025(for seeking exemption from pre-institution mediation)

1. This is an application under Section 12A of the Commercial Courts Act, 2015, read with Section 151 of the Code of Civil Procedure, 1908 ['CPC'], filed by the Plaintiff seeking exemption from instituting pre-litigation mediation.
2. Having regard to the facts that the present suit contemplates urgent interim relief and in light of the judgment of the Supreme Court in '**Yamini Manohar v. T.K.D. Keerthi**'¹, exemption from the requirement of pre-institution mediation is granted to the Plaintiff.
3. Accordingly, the application stands disposed of

¹ (2024) 5 SCC 815



I.A. 25763/2025(seeking exemption from advance service)

4. The present application has been filed under Section 151 of CPC, on behalf of the Plaintiff seeking exemption from service to the Defendants.

5. In view of the fact that Defendant No.1 is John Doe and Defendant No.2 has entered appearance, this application has become infructuous.

6. Accordingly, the application stands disposed of.

I.A. 25764/2025(seeking leave to file additional documents)

7. This is an application under Order XI Rule 1(4) of CPC [as amended by the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 ('Commercial Courts Act')], filed by the Plaintiff seeking leave to file additional documents within thirty (30) days.

8. The Plaintiff, if it wishes to file additional documents, will file the same within thirty (30) days from today, and it shall do so strictly as per the provisions of the Commercial Courts Act and the Delhi High Court (Original Side) Rules, 2018 ('DHC Rules').

9. For the reasons stated in the application, the same is allowed.

10. Accordingly, the application is disposed of.

I.A. 25765/2025 (seeking exemption from filing certified/typed copies)

11. The present application has been filed by the Plaintiff under Section 151 CPC seeking exemption from filing clear copies of the documents.

12. The fair typed copies, copies without proper margins of the documents shall be filed within two (2) weeks.

13. Accordingly, the application is disposed of.

I.A. 25766/2025(seeking permission to file videos in a pen drive)

14. This is an application filed on behalf of the Plaintiff under Section 151 of CPC seeking permission to file certain videos on a pen drive.



15. The Plaintiff is directed to file the CD/pen-drive in accordance with Rule 24 of the Delhi High Court (Original Side) Rules, 2018.

16. Registry may receive the electronic record on CD so long as it is encrypted with a hash value or in any other non-editable format. The video recording contained on the CD shall be placed in the electronic record of the present suit in a format that is non-editable, so that the same can be viewed by the Court during hearing.

17. Accordingly, the application stands disposed of.

CS(COMM) 1110/2025

18. The present suit has been filed seeking the reliefs of permanent injunction restraining disparagement, infringement of trademarks, passing off, damages, etc. by Defendant No. 1.

19. Let the plaint be registered as a suit.

20. Issue Summons.

21. Mr. Varun Pathak, learned counsel appearing on behalf of Defendant No. 2, accepts summons. He waives the right of formal service of summons.

22. Since Defendant No.1 is a John Doe, summons be issued to Defendant No.1 through all permissible modes, upon Defendant No.2 providing the Plaintiff with the BSI details of Defendant No.1. The Plaintiff will file an amended memo of parties within one (1) week from receipt of BSI details.

23. The summons shall indicate that the written statement must be filed within thirty (30) days from the date of receipt of the summons. Defendant No. 1 shall also file affidavit of admission/denial of the documents filed by the Plaintiff, failing which the written statement shall not be taken on record.

24. The Plaintiff is at liberty to file replication thereto within thirty (30)



days after filing of the written statement. The replication shall be accompanied by an affidavit of admission/denial in respect of the documents filed by Defendant No. 1, failing which the replication shall not be taken on record.

25. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

26. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.

27. List before the learned Joint Registrar (J) on **05.12.2025**.

28. List before Court on **23.03.2026**.

I.A. 25761/2025(application under Order XXXIX Rule 1 and 2 CPC seeking interim injunction)

29. The present application under order XXXIX Rule 1 and 2, read with Section 151 of the CPC, has been filed by the Plaintiff, seeking ex parte ad-interim injunction against the Defendants.

30. Ms. Shwetasree Majumdar, learned counsel for the Plaintiff, sets up the Plaintiff's case as under:

30.1. The Plaintiff is a part of the TATA Group of Companies, which is India's oldest, largest, and best-known business conglomerate. The Plaintiff is engaged in the business of the hospitality sector and manages a huge portfolio of hotels, resorts, jungle safaris, palaces, spas, etc.

30.2. The Plaintiff opened its first hotel, The Taj Mahal Palace, in Mumbai in 1903. Among the various brands of the Plaintiff, TAJ is the most iconic brand of the Plaintiff, unmistakably associated with the Plaintiff.

30.3. With the opening of The Taj Mahal Palace in Mumbai, and thereafter, with the expansion of the brand across cities, countries and continents, the



TAJ brand enjoys an unmatched equity and recollection in the minds of the common man. Since then, the Plaintiff has opened more than 137 TAJ hotels around the world.

30.4. The Plaintiff is the registered proprietor of the TAJ trademarks, with



the earliest registration for bearing TM No. 715974 dated 26.08.1996 in class 16².

30.5. The Plaintiff's TAJ trademark has also been declared as a well-known trademark by this Court in its judgment dated 11.03.2025 passed in '**The Indian Hotels Company Limited vs. Gaurav Roy Bhatt and Anr**'³.

31. The Plaintiff has a website dedicated to its hotels, resorts etc., under the brand TAJ, which is available at www.tajhotels.com.

31.1. The Plaintiff's TAJ Hotels have received numerous achievements and recognitions⁴. In particular, the Plaintiff's Taj Lake Palace, Udaipur and Taj Falaknuma Palace, Hyderabad were awarded three Michelin Keys in the Global Michelin Keys Selection on 8th October 2025, which is a distinction that is awarded to the world's most remarkable and unique hotels.

Knowledge about Defendant's Infringement

32. On 11.10.2025, the Plaintiff came to know that Defendant No.1/John Doe on 08.10.2025 had published a disparaging and false AI-generated deepfake video ['impugned video'] through its Instagram page 'Travelagio' titled "*Staff poisoned wealthy guests for 6 months...*", where several false, fictitious and disparaging claims were made against the Plaintiff, the Taj Lake Palace Udaipur, and its employees.

² Details of the plaintiff's TAJ registration have been set out in paragraph '14' of the plaint.

³ 2025 SCC OnLine Del 1643.



32.1. The impugned video falsely claimed that luxury tourists were murdered by poisoning at the Taj Lake Palace, Udaipur, in 2018 by a member of the Plaintiff's staff, and it was covered up by the authorities. Interestingly, the video refers to an alleged 'local' plant, foxglove or 'digitalis' as the source of the poison, although the said plant cannot grow in Udaipur.

32.2. Pertinently, almost all the comments posted on the concerned video confirm that the impugned video is AI-generated and is of dubious quality and credibility. Despite this, the impugned video has already garnered over 20,000 views, 134 likes, more than 300 shares, 7 reposts, and 12 comments, meaning it has circulated widely and caused reputational harm to the Plaintiff.

32.3. The impugned video was created by Defendant No. 1 while concealing their identity through the use of Artificial Intelligence tools, including an artificial (text-to-speech) voice, with the intent to create panic among the general public who may end up believing the claims made in the impugned video and avoid visiting the Plaintiff's premises.

32.4. It disparages the Plaintiff and its TAJ trademarks by falsely portraying the hotel as being involved in illegal activities and physically harming its guests, thereby discouraging potential customers.

33. Ms. Shwetasree Majumdar, learned counsel for the Plaintiff, states that the Plaintiff is aggrieved by the impugned video, which expressly refers to the Plaintiff's well-known trademark and makes fictitious and disparaging claims, thereby causing immense damage to the Plaintiff and the goodwill vested in its TAJ trademarks by specifically naming and targeting the hotel

⁴ Details of which have been set out in paragraph '11' of the plaint.



Taj Lake Palace, Udaipur.

33.1. She states that upon becoming aware of the impugned video on 11.10.2025, the Plaintiff reported the same on the National Cyber Crime Reporting Portal. The Plaintiff also submitted a takedown request on 11.10.2025 itself to Defendant No.2/Meta Platforms, Inc., as the impugned video was published on Instagram; however, Defendant No.2 has failed to take down the video to date.

33.2. She states that Defendant No.1 uploaded the impugned video on its Instagram channel with the intention of attracting viewership and followers and promoting its page at the Plaintiff's expense. The video seeks to create widespread panic about the safety of visiting or staying at the Plaintiff's Taj Lake Palace in Udaipur by spreading misinformation through a fictitious story.

33.3. She states that the impugned video clearly shows that Defendant No.1 is not reporting facts or sharing information for public benefit, but is deliberately spreading misinformation with the intent to cause reputational and financial harm to the Plaintiff.

33.4. She states that such actions not only tarnish the Plaintiff's brand and dilute the distinctiveness of its well-known TAJ trademarks, but also deceive the public and exploit the Plaintiff's reputation for Defendant No.1's own commercial gain for getting traction on its social media account.

34. Mr. Varun Pathak, learned counsel for Defendant No. 2 states that the impugned video will be taken down as per the directions of the Court. He seeks liberty to respond in the written statement to the averments in the plaint with respect to the steps taken post receiving the take down request on 11.10.2025.



Court's Findings

35. The Court has heard the learned counsel for the Plaintiff and has perused the record.

36. Upon perusal of the documents placed on record and the averments made in the plaint, it is prima facie evident that the Plaintiff is a reputed and well-established hospitality brand. The Plaintiff's reputed TAJ trademarks are widely recognised and enjoy immense goodwill both in India and globally. The plaint also set outs the reputation and recognition enjoyed by its Hotel Taj Lake Palace, Udaipur.

37. It is affirmed on oath that Defendant No.1 has unlawfully created and circulated the impugned video using Artificial Intelligence tools to falsely portray the Plaintiff's hotel, Taj Lake Palace, Udaipur, as being involved in illegal activities and causing harm to guests. It is stated that the references to the alleged employees and alleged guests in the impugned video are fictitious and the alleged incidents refer to in the video are false.

38. In view of the assertions on oath made in the plaint, this Court is of the prima facie opinion that the contents of the impugned video are false. This Court finds merit in the submission of the Plaintiff that circulation of such a false video directly infringes upon the Plaintiff's reputation and grossly misrepresents the Plaintiff's property Taj Lake Palace, Udaipur before the public.

39. In view of the averments made in the plaint and submissions made by the learned counsel for the Plaintiff, a prima facie case is made out in favour of the Plaintiff. Balance of convenience is also in favour of the Plaintiff. Irreparable loss, harm and injury would be caused to the Plaintiff if the Defendant No.1 is allowed to continue publishing/circulating the aforesaid



fictitious and morphed impugned video.

40. Accordingly, until further orders, the following directions are issued:

- i. Defendant No. 1, its employees, servants, agents, representatives and all others acting for and on its behalf are restrained from broadcasting, publishing, disseminating, distributing or making available in any other manner the impugned video and/ or any other content disparaging or infringing the Plaintiff's TAJ trademarks, on any social media pages/ websites;
- ii. Defendant No. 2 is directed to take down the impugned video uploaded on Defendant No. 1's Instagram channel/ page Travelagio, at the URL <https://www.instagram.com/p/DPjee6uDM-d/> within a period of 36 hours, and to file all available information pertaining to the owner/operator of the Instagram account Travelagio (username: travelagio3) with an advance copy to the Plaintiff within a period of three (3) weeks;
- iii. Defendant No. 2 will also take steps and endeavour to take down the impugned video if re-uploaded or re-posted on any other social media handle on its platforms.

41. The Plaintiff will file amended memo of parties once it receives the BSI details from Despondent No. 2 and, upon steps being taken, issue notice to the newly impleaded Defendant No. 1.

42. Reply be filed within four (4) weeks from receipt of notice. Rejoinder thereto, if any, be filed within four (4) weeks thereafter.



43. Order XXXIX Rule 3 CPC to be done within one week after receiving the details. Affidavit of service be filed within two (2) weeks.
44. List before the learned Joint Registrar (J) on **05.12.2025**.
45. List before Court on **23.03.2026**.
46. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 15, 2025/mt/aa