



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPMS/2267/2026</u> Swati Alias Smriti Negi --Petitioner Versus Union of India & Others --Respondents <u>Hon'ble Manoj Kumar Tiwari, J.</u> Mr. Shubhr Rastogi, Advocate, for the petitioner. Mr. Saurabh Adhikari, Central Govt. Standing Counsel, for the Union of India. Mr. Suyash Pant, Standing Counsel, for the State. (2) By means of this writ petition, petitioner has sought the following reliefs: <i>"a. Issue a writ, order or direction in the nature of Mandamus pleased to direct the respondents to direct the Respondents to reinstate and restore the Petitioner's channel to its original standing alongwith the contents deleted/removed by the respondent no. 3, including removal of all copyright strikes recorded against it.</i> <i>b. Issue a writ, order or direction in the nature of Mandamus pleased to direct the respondent no. 1 & 2 to settle the grievance of the petitioner and respondent no. 3.</i> <i>c. Issue a writ, order or direction in the nature of mandamus pleased to direct the respondents to take necessary action upon the grievance/representation given by the petitioner."</i> (3) In sum and substance, petitioner wants a direction to be issued to YouTube to reinstate and restore her account/channel to its original standing. Learned Counsel for the petitioner submits that petitioner's account was deleted from YouTube on account of alleged three copyright strikes, without any notice or opportunity of hearing.



			(4) This Court is afraid that the relief sought cannot be granted in a writ petition. It is not in dispute that petitioner entered into an agreement with YouTube with certain terms and conditions. If YouTube finds that any one or more terms and conditions, settled between the parties, has been violated, then the account of the petitioner can be deleted. (5) Learned Counsel for the petitioner submits that petitioner did not violate any terms or conditions of agreement entered into between her and YouTube. (6) Learned Counsel for the respondents submit that writ petition against YouTube is not maintainable, as it is not 'State' within the meaning of Article 12 of the Constitution. (7) Law is well settled that public law remedy under Article 226 of the Constitution cannot be invoked for settling contractual dispute or claims arising out of the contract. From the contentions made by learned Counsel for the petitioner, it is apparent that petitioner's claim is based on an agreement, which she entered into with YouTube. For resolving the dispute raised in the writ petition, other remedies are available to the petitioner. Public law remedy under Article 226 is certainly not a remedy available for resolving such dispute. Writ petition is, accordingly, disposed of with liberty to petitioner to avail such remedy, as is available to her under law. (Manoj Kumar Tiwari, J.) 4.8.2026 Pr
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