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

\+ CS(COMM) 716/2026

ADITYA BIRLA SUN LIFE AMC LIMITED .....Plaintiff

Through: Mr. Darpan Wadhwa, Senior Advocate with Mr. Raghav Sabharwal, Ms. Divita Vyas and Mr. Mohd Saqib, Advocates.

versus

JOHN DOE & ORS. .....Defendants

Through: Ms. Nidhi Raman, CGSC and Mr. Manish Rawat, GP with Ms. Nikita Singh, Advocate for D-2 and D-3.

Ms. Ekta Sharma, Mr. Udit Tewari and Ms. Surabhi Katare, Advocates for D-4/Google LLC.

Ms. Amee Rana, Ms. Sana Banyal and Mr. Vishwajeet Deshmukh, Advocates for D-5/Meta Platforms Inc.

Mr. Shashank Mishra, Mr. Vaarish K. Sawlani and Ms. Anupama Reddy Eleti, Advocates for D-6/WhatsApp LLC.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **22.07.2026**

I.A.18049/2026

1. This application is filed on behalf of Plaintiff under Order VI Rule 17 read with Section 151 CPC to amend the plaint.

2. Issue notice.

3. Learned counsels, as above, accept notice on behalf of their respective Defendants.

4. For the reasons stated in the application, the same is allowed permitting the Plaintiff to amend the plaint in terms of paragraphs No. 7 to 14 of the application. Amended plaint is taken on record.

5. Application stands disposed of.

<u>I.A.18050/2026</u>

6. This application is filed on behalf of Plaintiff under Order VI Rule 17 read with Section 151 CPC seeking permission to amend the I.A. 17429/2026.

7. Issue notice.

8. Learned counsels, as above, accept notice on behalf of their respective Defendants.

9. For the reasons stated in the application, the same is allowed permitting the Plaintiff to amend I.A. 17429/2026 in terms of amendments proposed in paragraphs No. 8 to 16 of the application. Amended application being I.A. 17429/2026 is taken on record.

10. Application stands disposed of.

<u>**I.A. 17430/2026** *(u/O II Rule 2 CPC)*</u>

11. This application is filed on behalf of Plaintiff to amend or modify the reliefs claimed in the plaint and the pleadings.

12. Learned Senior Counsel for the Plaintiff, on instructions, does not press this application.

13. Application stands disposed of as not pressed.

<u>**I.A.17431/2026** *(u/O XI Rule 1(4) r/w Section 151 CPC)*</u>

14. This application is filed on behalf of the Plaintiff seeking time to file additional documents.

15. Plaintiff, if it wishes to file additional documents at a later stage, shall do so strictly in accordance with the provisions of the Commercial Courts Act, 2015.

16. Application is allowed and disposed of.

<u>I.A. 17432/2026</u> *<u>(for pre-institution mediation)</u>*

17. This application is filed on behalf of the Plaintiff under Section 12A of the Commercial Courts Act, 2015 read with Section 151 CPC seeking exemption from Pre-Institution Mediation.

18. Having regard to the facts of the present case wherein urgent relief is prayed for and in light of the judgment of Supreme Court in ***Yamini Manohar v. T.K.D. Keerthi, (2024) 5 SCC 815****,* as also Division Bench of this Court in ***Chandra Kishore Chaurasia v. RA Perfumery Works Private Ltd., 2022 SCC OnLine Del 3529***, exemption is granted to the Plaintiff from Pre-Institution Mediation.

19. Application is allowed and disposed of.

<u>I.A.17433/2026</u> *<u>(u/S 80(2) r/w Section 151 CPC)</u>*

20. This application is filed on behalf of Plaintiff seeking exemption from serving advance notice on Defendant No.2/Ministry of Electronics and Information Technology and Defendant No.3/Department of Telecommunications.

21. For the reasons stated in the application, the same is allowed, exempting Plaintiff from serving advance notice on Defendant No.2/Ministry of Electronics and Information Technology and Defendant No.3/Department of Telecommunications.

22. Application stands disposed of.

<u>CS(COMM) 716/2026</u>

23. Let plaint be registered as a suit.

24. Upon filing of process fee, issue summons to Defendant No.1 through all permissible modes, returnable before the learned Joint Registrar on 25.08.2026.

25. Summons shall state that the written statement shall be filed by

Defendant No. 1 within 30 days from the receipt of summons along with affidavit of admission/denial of the documents filed by the Plaintiff.

26. It will be open to the Plaintiff to file replications within 30 days from receipt of the written statement along with affidavit of admission/denial of documents filed by Defendant No. 1.

27. If any of the parties wish to seek inspection of any documents, the same be done and given within the timeline prescribed in Delhi High Court (Original Side) Rules, 2018.

28. Learned Joint Registrar will carry out admission/denial of documents and marking of exhibits.

I.A 17429/2026 *(u/O XXXIX Rules 1 and 2 CPC)*

29. This application is filed on behalf of the Plaintiff under Order XXXIX Rules 1 and 2 CPC for grant of *ex parte* ad interim injunction.

30. Issue notice.

31. Learned counsels, as above, accept notice on behalf of Defendants No.2 to 6.

32. List before Court on 03.12.2026.

33. Case of Plaintiff as set out in the plaint is that Plaintiff is a public limited company and a joint venture between Aditya Birla Capital Limited and Sun Life AMC and was incorporated in 1994. Plaintiff is one of the oldest and largest asset management companies in India and acts as the investment manager of Aditya Birla Sun Life Mutual Fund, a Trust registered under the Indian Trusts Act, 1882. Plaintiff also manages the investment portfolios of Aditya Birla Sun Life Mutual Fund and Aditya Birla Real Estate Fund.

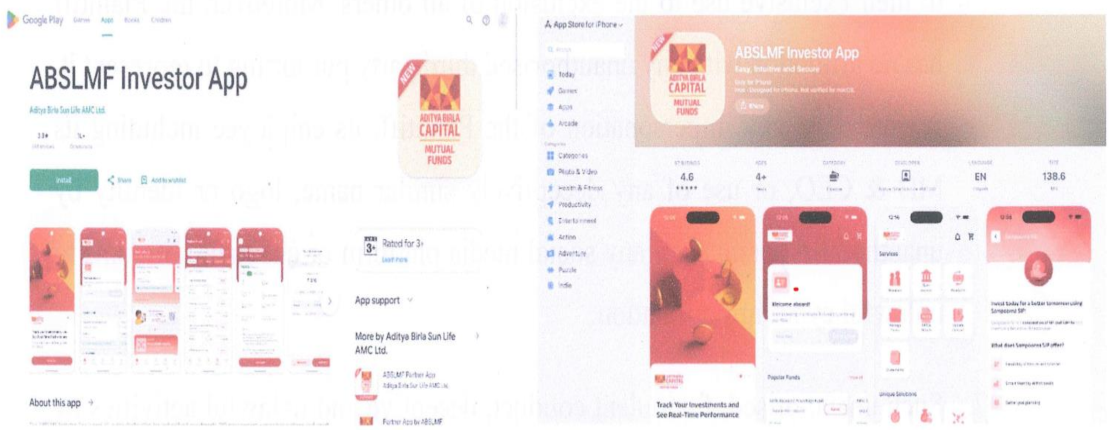
34. It is stated that since its inception, Plaintiff has established itself as one of India's leading asset management companies, servicing

approximately 10.6 million investor portfolios through a pan-India network spanning over 300 locations with Assets Under Management (AUM) aggregating to approximately Rs. 4,056 billion for the quarter ending on 31.03.2026. Plaintiff offers a wide range of financial products and services, including mutual funds, portfolio management services, alternative investment funds, offshore investments and real estate offerings with its mutual fund business excluding domestic Funds of Funds (FoFs), and maintains a significant operational presence across major cities in India through an extensive network of offices and over 800 employees.

35. It is stated that Plaintiff is authorised to use the trademarks, trade names, logos and domain names associated with Aditya Birla Capital Limited, including the mark 'Aditya Birla Capital', pursuant to a Trademark License Agreement dated 20.02.2018, under which it has been granted a royalty-free, non-exclusive, non-transferable licence for use of the said intellectual property in India. Pursuant to a Name License Agreement dated 19.05.1999 executed with Sun Life Assurance Company of Canada, Plaintiff has been granted a royalty-free, non-exclusive, non-assignable and non-transferable licence and sub-licence to use the letters ‘Sun Life’ as part of its corporate and trade names in India and through this association, Plaintiff has gained access to global expertise in fund management, distribution, product development and offshore business expansion, thereby further strengthening its reputation, credibility and standing in the investment and financial service industry.

36. It is stated that by virtue of immense reputation and goodwill earned due to continuous and longstanding association with the Aditya Birla Group and Sun Life Group, Plaintiff’s brand and the mark ABSLAMC has become distinctive and is associated and identified with the Plaintiff alone in

the concerned field. Plaintiff maintains significant online presence through its official website, https://mutualfund.adityabirlacapital.com/, which provides information regarding its business operations, history, services, clients, achievements, employees/directors, informative articles/blogs etc. Plaintiff has wide social media presence and is active on Facebook through its official Facebook page available at https://www.facebook.com/abslmutualfund, which enjoys substantial public following and engagement standing at 7,99,000 followers. Plaintiff also operates the official ABSLMF Investor App, available on Google Play Store under the URL https://play.google.com/store/apps/details?id=prod.abslamc.investor&pcampaignid=web_share and Apple App Store under URL https://apps.apple.com/in/app/abslmf-investor-app/id6751316406, through which it provides investment and related services to its customers. Screenshots of the official mobile applications of the Plaintiff are as follows:-



37. It is stated that Defendant No. 1 comprises John Doe Defendants whose identities are presently unknown but who are believed to be operating fraudulent mobile applications in a clandestine manner as also WhatsApp groups and other online platforms by unauthorisedly using Plaintiff's name,

logo, brand identity and goodwill. Defendant No. 1 is impersonating Plaintiff and its employees, including its Managing Director and Chief Executive Officer and circulating fraudulent investment schemes, employment opportunities and financial offers with the intent to deceive the public. In and around September, 2025, Plaintiff first became aware that Defendant No. 1 was falsely representing an association with the Plaintiff by impersonating its senior officers, misusing their names, identities, photographs and professional credentials and inviting members of the public to join investment groups by offering market insights, investment advice and assurances of attractive financial returns. It was further discovered that one such individual using the name 'Diya Mehra' was falsely claiming an association with Plaintiff and its senior management for the purpose of inducing members of the public to participate in fraudulent investment schemes, purported employment opportunities and other deceptive financial arrangements.

38. It is stated that Defendant No. 1 has also induced members of the public to invest through fraudulent mobile applications, namely ABSLNHW and ABSLPRIV, which deceptively imitate Plaintiff's ABSLAMC branding and falsely project themselves as official investment platforms of Plaintiff. Innocent members of public are being duped into divulging information and transferring funds under the false belief that they are dealing with the Plaintiff. With the assistance of its cyber security team and third-party IT firm 'IZOOlogic', Plaintiff has succeeded in securing the takedown of mobile applications ABSLNHW and ABSLPRIV, however, there is an apprehension that Defendant No. 1 will again upload such or similar applications to fraud people.

39. It is stated that Defendant No. 1 operates multiple bank accounts with

various banks, including but not limited to Bank of India, Yes Bank, IndusInd Bank, Bandhan Bank, Federal Bank, Central Bank of India, Axis Bank, UCO Bank and Unity Small Finance Bank, which are used to receive monies from unsuspecting victims under the guise of legitimate investment transactions. Some of the instances cited in the plaint in this context, are as follows:-

<table>
<tr><th>Sl. No.</th><th>Indicative instances where unsuspecting victims were induced to transfer monies to the John Doe Defendant(s)</th><th colspan="2">Screenshots evidencing such fraudulent conduct by the John Doe Defendant(s) and corresponding transfers made by unsuspecting victims</th></tr>
<tr><td>1.</td><td>An amount of INR 2,18,000/- was transferred on 6 February 2026 towards one account named “poonam trading”, maintained with Yes Bank.</td><td>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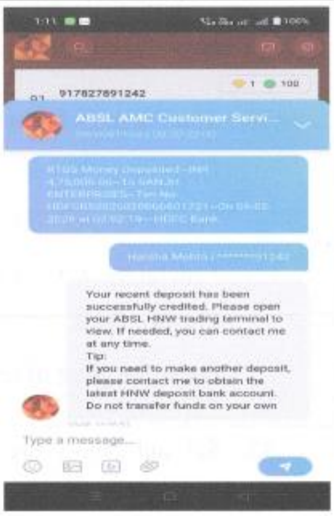
</td></tr>
<tr><td>2.</td><td>An amount of INR 4,75,000/- was transferred on 6 February 2026 towards one account named “Sanju Enterprises”, maintained with the Federal Bank Limited.</td><td>


</td><td>


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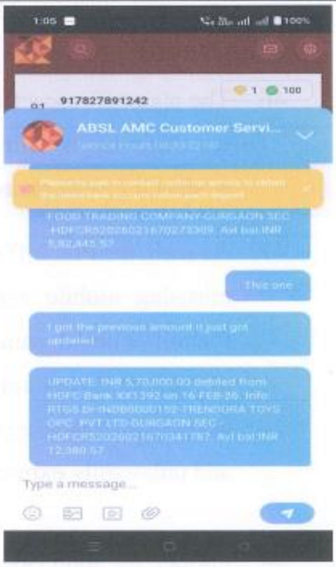
</table>

<table>
<tr><td>3.</td><td>An amount of INR 2,22,000/- was transferred on 11 February 2026 towards one account named "Vaishno Traders", maintained with Yes Bank.</td><td>


</td></tr>
<tr><td>4.</td><td>An amount of INR 5,70,000/- was transferred on 16 February 2026 towards one account named "Trendora Toys OPC Private Limited", maintained with IndusInd Bank.</td><td>


</td></tr>
<tr><td>5.</td><td>An amount of INR 9,82,000/- was transferred on 20 February 2026 towards one account named "Ms. Sri Raja Mathangi Trust", maintained with Bandhan Bank.</td><td>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40. Learned Senior Counsel for the Plaintiff submits that John Doe Defendant(s) are creating and misusing mobile applications, which bear a deceptive similarity to Plaintiff's brand, name or logo ABSLAMC beside using the name and logo of 'Aditya Birla Capital' and through such acts, they are engaging in forgery, frauds and misleading the public to invest money in the garb of legitimate transactions. Documents on record demonstrate that Defendant No. 1 are also issuing forged application approval forms which bear false and fabricated stamps and these are used for cheating people and inducing them into delivery of property as detailed in paragraph 48 of the plaint. Moreover, they are also maintaining fraudulent social media pages including on Facebook, falsely impersonating the Plaintiff, its MD and CEO as also other employees, thereby expanding the scope of deception across multiple platforms.

41. Mr. Wadhwa further submits that John Doe Defendant(s) are not only causing an irreparable harm and injury to Plaintiff's goodwill and reputation since people believe that they are dealing with the Plaintiff, but are also defrauding general public. Numerous complaints have been received by the Plaintiff from people, bringing forth how they have been misled into investing through fraudulent schemes and applications under the impression that they were genuine offerings of the Plaintiff. Illustratively, it is submitted that one Mr. K. Balakrishnan addressed the complaint dated 28.02.2026 to the Plaintiff *inter alia* stating that he had enrolled in ABSL Joint Investment Plan and had been investing on the HNW account and participating in trading of various stocks viz. institutional/OTC/IPO stocks and the coordinator, Diya Mehra had assured him that IPO allotments shall be issued restricted to funds available in HNW account. However, he was allotted an excessively high number of shares far beyond his financial capacity and was

compelled to arrange funds through loans. Attention of the Court is also drawn to FIRs lodged by the complainants claiming cyber fraud. It is urged that Plaintiff has no association whatsoever with impugned applications ABSLNHW and ABSLPRIV or with any other unlawful WhatsApp groups and does not own or operate or endorse any such platform designed to cheat the public. The fraudulent activities of John Doe Defendant(s) ought to be restrained as the harm to the immense reputation and goodwill of the Plaintiff is irreversible.

42. Having heard learned Senior Counsel for Plaintiff and upon perusal of the documents as well as the rival marks, I am of the view that Plaintiff has made out a *prima facie* case for grant of *ex parte* ad interim injunction against the Defendants. Balance of convenience lies in favour of Plaintiff and it is likely to suffer irreparable harm in case the interim injunction, as prayed for, is not granted.

43. Accordingly, till the next date of hearing:-

(a) Defendant No.1/John Doe(s) and all others acting on their behalf are restrained from using or exploiting or misappropriating Plaintiff's brand, goodwill, name including 'Aditya Birla Sun Life AMC Limited' and 'Aditya Birla Capital' and all associated logos and other identifying attributes or any deceptively similar variants thereof, for any commercial and/or personal gain and/or otherwise by exploiting them in any manner whatsoever, without Plaintiff's consent and/or authorization;

(b) Defendant No. 1/John Doe(s) and all others acting on their behalf are restrained from misrepresenting as the Plaintiff, its MD and/or CEO and/or its employees on any medium including but not limited to digital platforms, websites, mobile applications, groups and social media so that there is no dilution of Plaintiff's brand and reputation and are further restrained from passing off their services as those of the Plaintiff by use of any logo or expressions that are identical or deceptively similar to those of the Plaintiff;

(c) Defendant No.6 is directed to remove/delete the impugned groups and suspend/remove the profiles referred to in **Annexure-A** of this order within a period of 36 hours from the date of receipt of this order; and

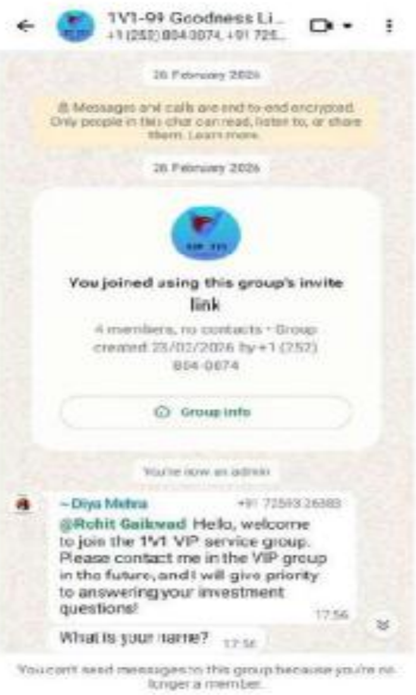
(d) Defendant Nos.2/MeitY and 3/DoT are directed to issue appropriate notifications to ISPs registered under them to block access to infringing URLs mentioned at Serial Nos. 1 to 24 of **Annexure-A** to this order since Plaintiff does not press for take down of remaining URLs.

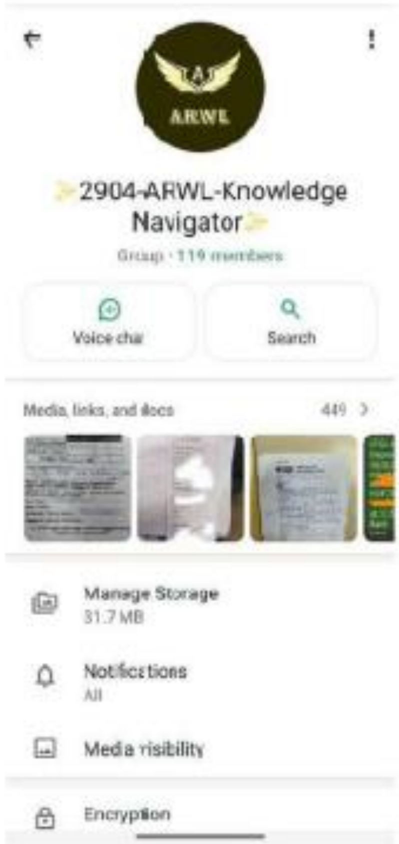
44. Plaintiff shall comply with the provisions of Order XXXIX Rule 3 CPC within a period of two weeks from today.

JYOTI SINGH, J

JULY 22, 2026/VP

ANNEXURE-A

Sl. No.	Name of the Group	Name as per Screenshot
1.	01084-ABSL-VIP	
2.	1V1-99 Goodness Li…	

3.	✨2904-ARWL-Knowledge Navigator✨	
4.	66-ABSL-Minds Converge (🥳)	

5.	6777 – ABSL – Colla…	
6.	76 ABSL: Exploring Witho…	

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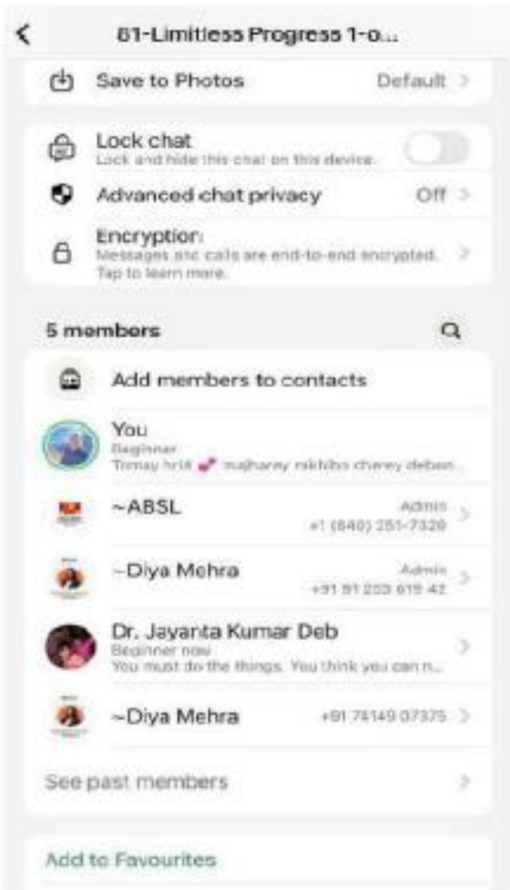
<td>7.</td>
<td>81-Limitless Progress 1-o…</td>
<td>
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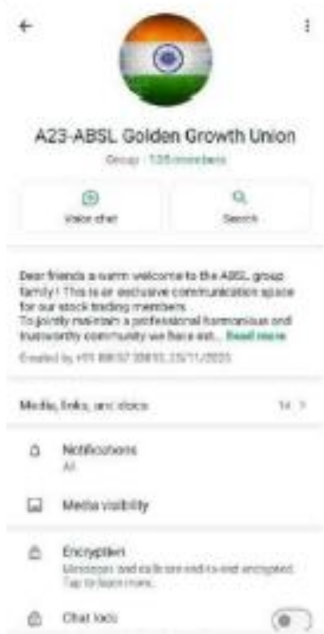
</tr>
<tr>
<td>8.</td>
<td>A23-ABSL Golden Growth Union</td>
<td>
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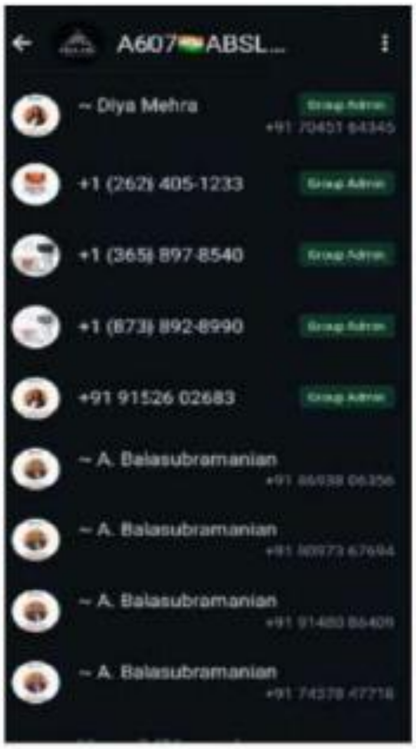
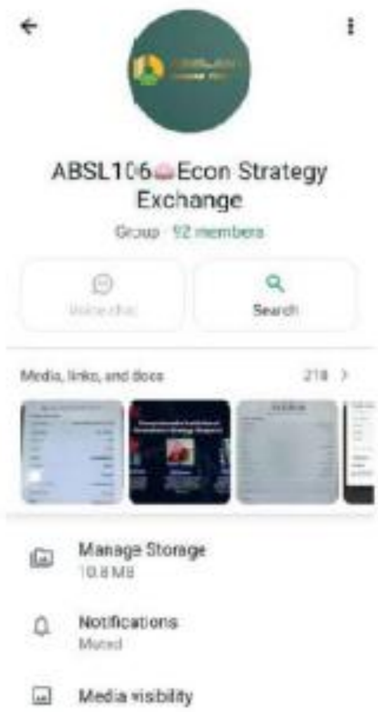
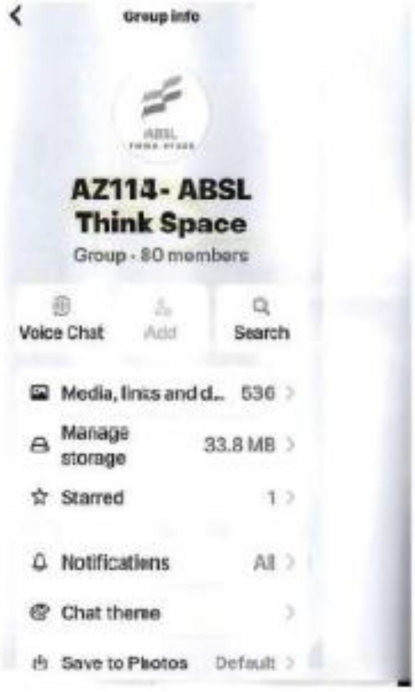
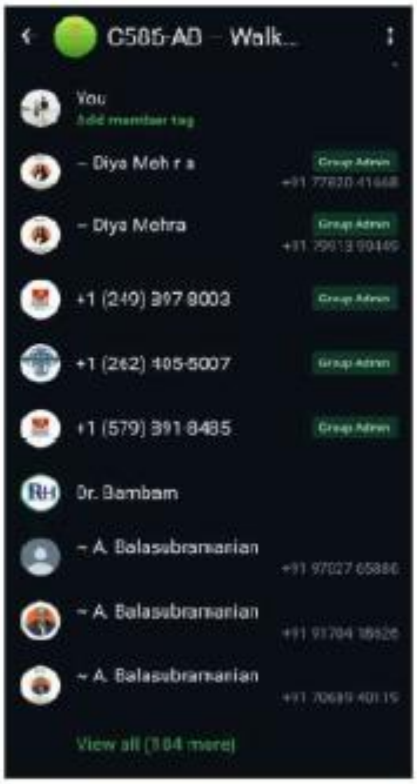
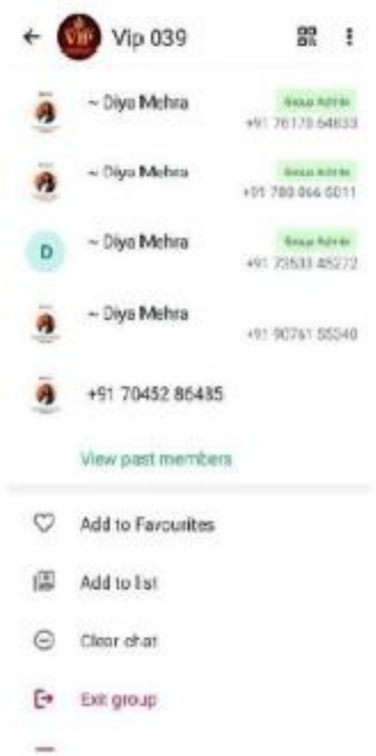
9.	A607(Indian flag)ABSL…	
10.	ABSL 106🌸Econ Strategy Exchange	

11.	AZ114-ABSL Think Space	
12.	AZ165-ABSL…	

13.	C586-AB – Walk …	
14.	L101-(Indian Flag)ABSL · Learning Paradise	

<table>
<tr><td>15.</td><td>Vip 039</td><td></td></tr>
<tr><td>16.</td><td>VIP one-on-on…</td><td></td></tr>
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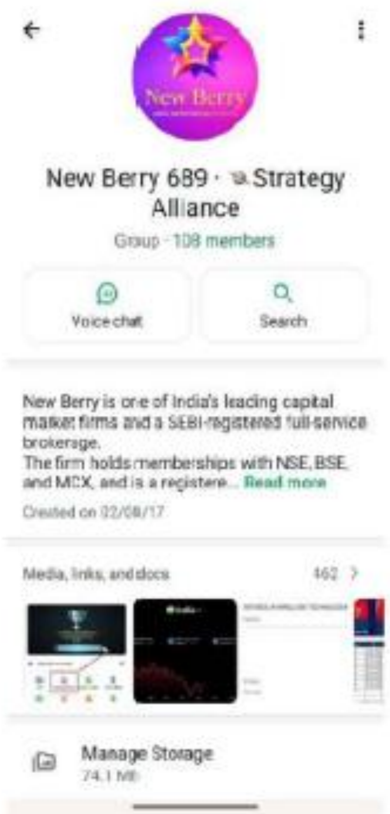
<tr><td>17.</td><td>New Berry 689 · Strategy Alliance</td><td>
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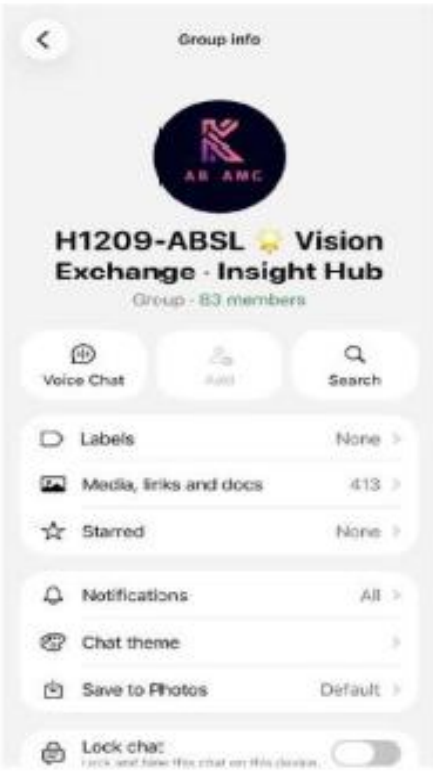
<tr><td>18.</td><td>H1209-ABSL Vision Exchange · Insight Hub</td><td>
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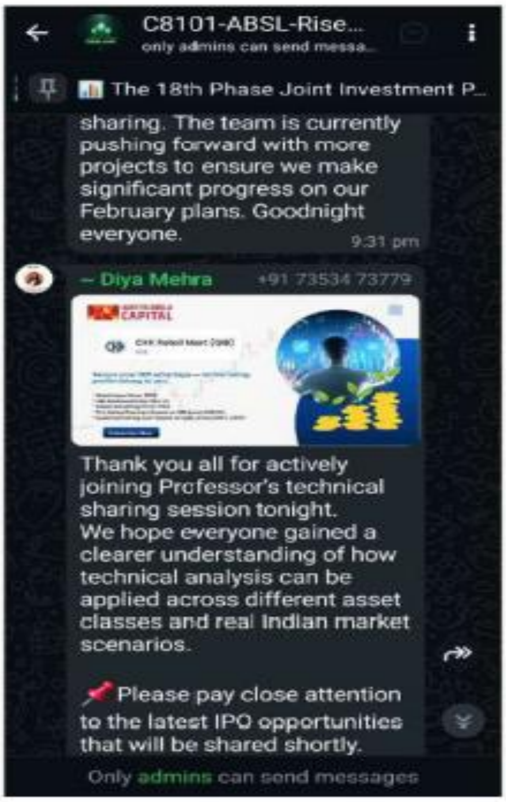
<tr><td>19.</td><td>C8101-ABSL-Rise…</td><td>
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<tr><td>20.</td><td>A8 ABSL · Deep Log…</td><td>
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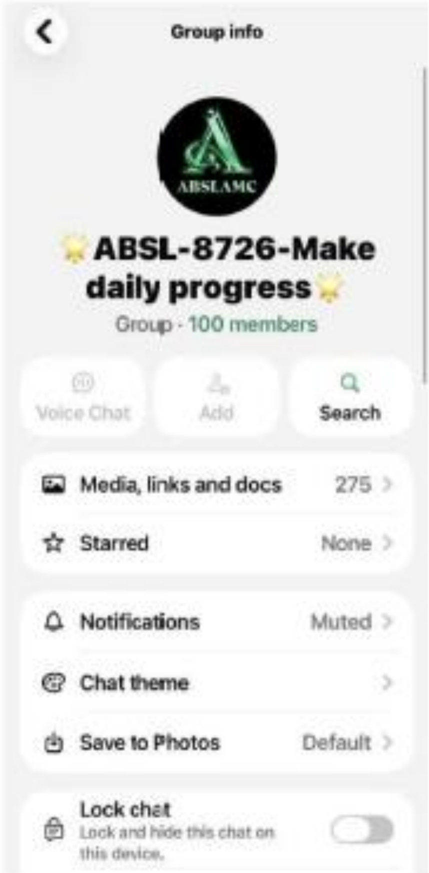
21.	🌟 ABSL-8726-Make daily progress 🌟	
22.	C877-ABS-Light of Wisdom	

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<tr><td>23.</td><td>78959-ABSL VIP</td><td>
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<tr><td>24.</td><td>VIP (B085) 🏦 The Group of Wisdom</td><td>
</td></tr>
<tr><td>25.</td><td>677 – ABSL – COLLA</td><td>----</td></tr>
<tr><td>26.</td><td>ABSL</td><td>----</td></tr>
<tr><td>27.</td><td>ABSL 188 GROWTH MOMENTUM CIRCLE</td><td>----</td></tr>
<tr><td>28.</td><td>ABSL-106-PART-1</td><td>----</td></tr>
</table>