

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION NO. 3875 OF 2026
IN
SUIT NO. 167 OF 2026**

DELTA CORP LIMITED)...APPLICANT

IN THE MATTER BETWEEN

DELTA CORP LIMITED)...PLAINTIFF

V/s.

META PLATFORMS INC)...DEFENDANT

Mr.Kunal Dwarkadas a/w. Mr.Aniket Kharote, Mr.Rahul Dwarkadas, and Mr.Raushan Kumar i/by RJD And Partners, Advocate for the Applicant/Plaintiff.

Mr.Ameya Gokhale a/w. Mr.Harit Lakhani and Mr.Abhishek Mookherjee i/by Shardul Amarchand Mangaldas & Co., Advocate for the Respondent/Defendant.

CORAM : ABHAY AHUJA, J.

DATE : 6th AUGUST 2026

PC. :

1. When the matter is called out, Mr.Ameya Gokhale, learned Counsel appearing for the Defendant, submits that one more week's time be granted to the Defendant / Respondent to file a reply in the matter, as in any event, the Plaintiff has been protected by the order dated 2nd July 2026 and the contents of the handles of the Plaintiff,

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which have been suspended/disabled by the Defendant have been preserved.

2. Mr.Dwarkadas, learned Counsel appearing for the Plaintiff/Applicant opposes the request submitting that the plaint and the application were served upon the Defendant/Respondent in the month of May. That, although the handles have been suspended/disabled on 10th April 2026 and although a representation was made with regard to the same, there has been no response from the Defendant and even an appeal with the statutory authority is pending. Mr.Dwarkadas reiterates that six different contradictory reasons have been given for the suspension of the handles of the Plaintiff which is affecting the business.

3. Mr.Dwarkadas submits that not only that, although the Defendant has very promptly and without any good reason suspended / disabled the handles of the Plaintiff, as also set out in the order dated 2nd July 2026, but despite pointing out and requesting that there are impersonations as set out in Exhibit S operating from the Defendant's platform, the Defendant has failed to remove or disable the same, not only causing a reputational loss to the Plaintiff but also business loss, as

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the impersonations are fraudulently misrepresenting to the world at large that the Plaintiff and its promoter is promoting and/or facilitating online gambling whereas that is not at all the case, as the Plaintiff operates only physical casino with proper license.

4. Mr.Dwarkadas has drawn this Court's attention to paragraph 3.25 in the plaint as well as to Exhibit S which are the links of Instagram pages and Facebook pages and groups and submits that this Court may direct the Defendant in terms of prayer clause (g) to forthwith remove/disable/suspend and/or take down the fraudulent, impersonation and unauthorized Instagram and Facebook pages/accounts set out therein. Mr.Dwarkadas submits that, in fact, the Attorneys for the Plaintiff have by a communication dated 5th August 2026 reiterated to the Defendant of the unauthorized impersonations including an offending AI generated fake video operating on the Defendant's platform and also stated as to how the same is in breach of the Information and Technology Act and Rules and requested the Defendant to promptly remove and disable the access on a global basis, however, the same has also not been done.

5. Mr.Dwarkadas has also played the offending video for the benefit of this Court submitting that the Plaintiff has come across the said AI

generated fake video operating under the name 'Deltin Vibe' which depicts the promoter of the Plaintiff viz. Mr.Jaydev Mody purportedly announcing the launch of an online casino and/or online gaming application named 'Deltin Royale' which Mr.Dwarkadas submits is a handle disabled by the Defendant in respect whereof this Court has also directed the Defendant to preserve the contents.

6. This Court has also observed that in the said video there are not only sports and film celebrities but also industrialists promoting the said announcement, however, this Court must fairly admit that not being a technical expert, the video although submitted to be a deepfake, appeared to be a real one, which only speaks of the expertise of technology where even a deepfake/impersonation looks real.

7. In my view, it is only the Defendant who would be in a position to figure out whether the video is a fake or not, as it is the Defendant's platform which is being used for the dissemination of the said video with the background of 'Deltin Royale', which handle, admittedly, has been disabled by the Defendant.

8. Mr.Gokhale, learned Counsel appearing for the Defendant, submits that if this Court directs, the Defendant is duty bound to

remove/disable the impersonation/unauthorized Instagram and Facebook pages/accounts.

9. Prayer clause (g) in the Suit and prayer clause (e) in the Interim Application seek orders pending the hearing and final disposal of the Suit with respect to the removal of the impersonation/unauthorized Instagram and Facebook pages/accounts identified by the Plaintiff, more particularly, set out in Exhibit S to the plaint (pages 94 to 96).

10. If the submission on behalf of the Plaintiff/Applicant itself is that the video referred to in the communication dated 5th August 2026 is AI generated fake video and the links listed in Exhibit S are unauthorized and impersonations, then in my view and also considering the fact that online gaming is prohibited in India and it has been submitted on behalf of the Plaintiff that they are not into online gaming at all and have physical casinos operating with proper license, unless the Defendant has any contrary material, which has not been pleaded before this Court, I am of the view that prayer clause (g) be granted with respect to Exhibit S as well as the AI generated fake video referred to in the communication dated 5th August 2026.

11. Mr.Gokhale further submits that this Court may grant time till 17th August 2026 to file a reply.

12. Accordingly, the following order is passed :

ORDER

- (i) Let the reply, as directed vide order dated 2nd July 2026, be filed and served by 17th August 2026. Rejoinder in a week thereafter with a copy to the other side.
- (ii) Further, relief to the Plaintiff / Applicant in terms of prayer clause (g) restricted to the video referred to in the communication dated 5th August 2026 and to Exhibit S.
- (iii) Liberty to the Plaintiff to address communication(s) in the nature of 5th August 2026 or as contained in Exhibit S, in the event the Applicant / Plaintiff discovers or becomes aware of any other fraudulent / impersonating / unauthorized online / digital pages / accounts on the Defendant's platform which offends or impersonates the Plaintiff's name, brand or associated marks or in any manner falsely suggests association with the Plaintiff and the Defendant to take steps in accordance with the procedure and rules that the Defendant may have to remove/suspend/take down

the said fraudulent/impersonating/unauthorized/fake material from its platforms.

- (iv) List on **27th August 2026** on the **Supplementary board**.
- (v) All concerned to act on a copy of this order duly authenticated by the Associate of this Court.

(ABHAY AHUJA, J.)

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Digitally signed
by ARTI VILAS
KHATATE
Date:
2026.08.06
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