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- ✓ *High Court of Judicature of Rajasthan v. Ramesh Chand Paliwal* [1998] 1 SCR961
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- ✓ *High Court of Judicature for Rajasthan v. P.P. Singh*, (2003) 4 SCC 239 at 251
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- ✓ *High Court of Judicature For Rajasthan v. Bhanwar Lal Lamror*, 2021 SCC OnLine SC 657
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- ✓ *Amar Pal Singh v State Of U. P.*, (2012) 6 SCC 491
- ✓ *All India Backward Classes and Minorities Welfare Association v. Union of India*, [1988]3SCR613.
- ✓ *Baikuntha Nath Das v. Chief District Medical Officer, Baripada* [1992]1SCR836.
- ✓ *Madan Mohan Choudhary v. The State of Bihar* [1999]1SCR596.
- ✓ *All India Judges' Association v. Union of India* [1993]Supp1SCR749.
- ✓ *K. Kandaswamy v. Union of India*, [1995]Supp3SCR258.
- ✓ *I.K. Mishra v. Union of India* [1997]Supp2SCR260.
- ✓ *Bishwanath Prasad Singh v. State of Bihar*[2000]Supp5SCR718.

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- ✓ *Supreme Court Advocates on Record Assn. v. Union of India*, AIR 1994 SC 268 para 478 and 450.
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- ✓ *Suresh G. Ramnani v. Aurelia Ana De Piedade Miranda*, 2022 SCC OnLine SC 1556
- ✓ *PLR Projects Pvt. Ltd v. Mahanadi Coalfields Ltd.*, 2021 SCC OnLine SC 332
- ✓ *Rt.Rev.Timothy Ravinder Dev Pradeep, The Bishop, CSI Coimbatore Diocese v. Rev.Charles Samraj.N & Anr* [C.R.P.Sr.Nos.109971 and 111067 of 2021]
- ✓ *Warad Murti Mishra v. State of M.P.*, (2020) 7 SCC 509
- ✓ *Richa Singh v. Punjab and Haryana High Court* [LPA No. 901 of 2020, (O&M) in CWP No. 19148 of 2020]
- ✓ *State of Uttar Pradesh v. Association of Retired Supreme Court and High Court Judges*, 2024 SCC OnLine SC 14

### SESSION 5 - FUNDAMENTAL RIGHTS & FREE SPEECH

1.	Garfield, L. Y., <i>The Death of Slander</i> , The Columbia Journal of Law & The Arts, 35(1), 17–56, (2012)	<b>816</b>
2.	Dr. Justice S. Muralidhar, <i>Jurisdictional Issues in Cyberspace</i> , 6 Indian Journal of Law and Technology 1-42 (2010)	<b>856</b>
3.	Jyoti Rattan, <i>Cyber Jurisdiction: A Seamy Side of Cyber Sovereignty with Special Reference to India</i> , 5(1) GNLU Law Review 52-69 (2018)	<b>899</b>



## Orientation Course for Newly Elevated High Court Justices (P-1414)

4.	Richard Bradshaw, <i>Defamation in the Digital Age</i> , Johnston Withers Lawyers, Blog published on 10 Sept 2020. Available at: <a href="https://johnstonwithers.com.au/news/defamation-digital-age">https://johnstonwithers.com.au/news/defamation-digital-age</a>	912
5.	<i>Defamation in the Internet Age: Protecting Reputation Without Infringing Free Expression</i> , Centre for Democracy & Technology, Carnegie Mellon University, 2012. Available at: <a href="https://cdt.org/insights/defamation-in-the-internet-age/">https://cdt.org/insights/defamation-in-the-internet-age/</a>	940

### Judgments

#### A. *Defamation in Digital Age*

- ✓ *Ram Jethmalani v. Subramaniam Swamy*, AIR 2006 DELHI 300

The action for defamation maintainable only by the person who has been defamed and not others in family, friends, etc. –

- ✓ *Harsh Mendiratta v. Maharaj Singh*, 95(2002)DLT78
- ✓ *Shreya Singhal v. Union of India*, (2015) 5 SCC 1
- ✓ *Chaman Lal v. State of Punjab*, 1970 AIR 1372
- ✓ *Mohammad Abdullah Khan v. Prakash K*, 2018 (1) SCC 615

#### B. *Right to Privacy v. Right to Information & Transparency in Judicial Records – Supreme Court:*

- ✓ *Kaushal Kishore v. State of Uttar Pradesh*, (2023) 4 SCC 1
- ✓ *XXXX v. YYYY*, (2022) SCC OnLine SC 1123
- ✓ *Jigyada Yadav v. CBSE*, (2021) 7 SCC 535

#### High Court(s):

- ✓ *Princess Anaryaa Milind Ramteke v. State of Maharashtra*, (2021) SCC OnLine Bom 10861
- ✓ *Vijay Kumar v. CBSE*, (2023) SCC OnLine Del 703; and
- ✓ *Tanishka Maheshwari v. CBSE*, (2023) SCC OnLine Del 711  
The Delhi High Court ruled on the same line as the law had been settled by the apex court in *Jigyada Yadav Case*.
- ✓ *Regional Officer CBSE v. Sanifa Mustafa*, (2021) SCC OnLine Ker 6756; and
- ✓ *CBSE v. Robin Moses*, (2021) SCC OnLine Ker 2590;
- ✓ *CBSE v. Vineeth J*, (2021) SCC OnLine Ker 2971; and such many others  
The Kerala High Court ruled citing *Jigyada Yadav Case* as a precedent.
- ✓ *Sachin Yadav v. CBSE*, (2021) SCC OnLine Raj 3291; and
- ✓ *Ojashvi v. CBSE* (2021) SCC OnLine Raj 3331,  
The Rajasthan High Court ruled citing *Jigyada Yadav Case* as a precedent.
- ✓ *Gunja Kumari v. CBSE*, (2022) SCC OnLine 5368; and
- ✓ *Mahendra Kishore Singh v. CBSE*, (2021) SCC OnLine Pat 1367  
The Patna High Court ruled citing *Jigyada Yadav Case* as a precedent.
- ✓ *Varun Kaushal v. CBSE*, (2022) SCC OnLine HP 931  
The Himachal Pradesh High Court ruled citing *Jigyada Yadav Case* as a precedent.
- ✓ *Shweta Pathak v. UoI*, (2022) SCC OnLine All 274  
The Allahabad High Court ruled citing *Jigyada Yadav Case* as a precedent
- ✓ *X v. You Tube*, (2021) SCC OnLine Del 4193
- ✓ *Saanvi Singh v. State of Odisha*, 2023 SCC OnLine Ori 1191
- ✓ *Jorawer Singh Mundy v. Union of India*, 2021 SCC OnLine Del 2306
- ✓ *NT1 and NT2 v. Google LLC*, [2018] EWHC 799 (QB)

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### C. *Right to be Forgotten v. Right to Privacy* –

#### Supreme Court:

- ✓ *K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1
- ✓ *Gobind v. State of MP.*, (1975) 2 SCC 148

#### High Court(s):

- ✓ *Mahendra Kumar Jain v. State of W.B.*, (2022) SCC OnLine Cal 3060
- ✓ *X v. Youtube*, 2021 SCC OnLine Del 4193
- ✓ *Subhranshu Rout v. State of Odisha*, 2020 SCC OnLine Ori 878
- ✓ *Zulfiqar Ahman Khan v. Quintillion Businessman Media*, 2019 SCC OnLine Del 8494

#### Conflicting positions of High Courts –

- ✓ *Sri. Vasunathan v. The Registrar General, High Court of Karnataka*, 2017 SCC OnLine Kar 424
- ✓ *Sredharan T v. State Of Kerala, Civil, WP. No. 9478 of 2016*
- ✓ *X v. Youtube*, 2021 SCC OnLine Del 4193
- ✓ *Dharamraj Bhanushankar Dave v. State of Gujarat*, 2017 SCC OnLine Guj 2493
- ✓ *Karthick Theodore v. Registrar General Madras High Court*, 2021 SCC OnLine Mad 2755
- ✓ *K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1, para (312)
- ✓ *Vysakh K.G. v. Union of India*, 2022 SCC OnLine Ker 7337, para 33.
- ✓ *K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1, para (629)
- ✓ *Vysakh K.G. v. Union of India*, 2022 SCC OnLine Ker 7337, para 32.
- ✓ *X v. Union of India*, (2023) SCC OnLine Del 2361 at para 39

### D. *Other Cases on Cybercrime* –

- ✓ *Saanvi Singh v. State of Odisha*, 2023 SCC OnLine Ori 1191
- ✓ *Vysakh K.G. v. UoI, Kerala*, 2022 SCC OnLine Ker 7337
- ✓ *Manohar Lal Sharma v. Union of India*, 2021 SCC OnLine SC 985
- ✓ *X v. Youtube*, 2021 SCC OnLine Del 4193
- ✓ *A v. State of Uttar Pradesh*, (2020) 10 SCC 505
- ✓ *Google India Pvt. Ltd. v. Visaka Industries*, (2020) 4 SCC 162
- ✓ *Internet and Mobile Association of India v. Reserve Bank of India*, (2020) 10 SCC 274
- ✓ *Zulfiqar Ahman Khan v. Quintillion Business Media Pvt. Ltd.*, 2019 SCC OnLine Del 8494
- ✓ *Tehseen S. Poonawalla v. Union of India*, (2019) 9 SCC 501
- ✓ *Gagan Harsh Sharma and Another v. State of Maharashtra Through Sr. Police Inspector*, (2019) 1 AIR Bom R (Cri) 201
- ✓ *Videos of Sexual Violence and Recommendations, In Re*, (2018) 15 SCC 551
- ✓ *Christian Louboutin v. Nakul Bajaj*, (2018) 253 DLT 728
- ✓ *Vasunathan v. Registrar of Karnataka*, 2017 SCC OnLine Kar 424
- ✓ *Sharat Babu Digumarti v. Government (NCT of Delhi)*, (2017) 2 SCC 18
- ✓ *Myspace Inc. v. Super Cassettes Industries Ltd.*, (2017) 236 DLT 478 (DB)
- ✓ *Ramesh Rajagopal v. Devi Polymers Pvt. Ltd.*, (2016) 6 SCC 310
- ✓ *Shreya Singhal v. Union of India*, (2015) 5 SCC 1
- ✓ *Sabu Mathew George v. Union of India*, (2015) 11 SCC 545
- ✓ *Nasscom v. Ajay Sood*, (2005) 119 DLT 596
- ✓ *Yahoo!, Inc. v. Akash Arora*, (1999) 78 DLT 285

### *Jurisdiction in Digital Age*

#### A. *Indian Cases* –

- ✓ *Tata Sons Private Limited v. Hakunamatata Tata Founders*, 2021 SCC OnLine Del 4810

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- ✓ *Swami Ramdev v. Facebook, Inc.*, 2019 SCC OnLine Del 10701
- ✓ *Impresario Entertainment & Hospitality Pvt. Ltd. v. S & D Hospitality*, (2018) 246 DLT 337
- ✓ *World Wrestling Entertainment Inc v. M/s. Reshma Collection*, (2017) 237 DLT 197
- ✓ *Lalitha Lakshaman v. CBI*, 2017 SCC OnLine Del 6435
- ✓ *Thota Venkateswarlu v. State of Andhra Pradesh*, (2011) 9 SCC 527
- ✓ *Banyan Tree Holding (P) Limited v. A. Murali Krishna Reddy*, (2010) 42 PTC 361
- ✓ *(India TV) Independent News Service Pvt. Ltd. v. India Broadcast Live LLC.*, 2007 SCC OnLine Del 965, ILR (2007) 2 Delhi 1231
- ✓ *Om Hemranjani v. State of U.P.*, (2005) 1 SCC 617
- ✓ *SIL Import, USA v. Exim Aides Silk Exporters, Bangalore*, (1999) 4 SCC 567
- ✓ *Ajay Aggarwal v. Union of India*, (1993) 3 SCC 609

“Carrying on Business” (Sec. 20(c) of CPC) v. “Personally Working for Gain” (Sec. 134(2) Trade Marks Act, 1999 v. “District Court having jurisdiction” (Sec 62(2) of Copyright Act, 1957) Distinguished –

- ✓ *Indian Performing Rights Society Ltd. v. Sanjay Dalia*, 2015 (63) PTC 1
- ✓ *Exxon Mobile Corp. v. Exxoncorp Pvt. Ltd.*, (2019) 79 PTC 335
- ✓ *Zenner International GMBH & Co. KG v. Anand Zenner Company Pvt. Ltd.*, 2018 SCC OnLine Del 7011
- ✓ *Wipro Ltd. v. Oushadha Chandrika Ayurvedic India (P) Ltd.*, AIR 2008 Mad 165
- ✓ *Pratap Singh v. Bank of America*, 1976 SCC OnLine Bom 111

### **B. U.S. Cases –**

- ✓ *Rose v. Himely*, 8 US 241 (1808) : 4 Cranch 241
- ✓ *Hudson & Smith v. Guestie* 10 U.S. 281 (1810)
- ✓ *American Banana Co. v. United Fruit Co.*, 213 U.S. 347 (1909)
- ✓ *Zippo Manufacturing Company v. Zippo Dot Com, Inc* 952 F. Supp. 1119

### **C. E.U. Cases –**

- ✓ *H.K. v. Prokuratuur*, Case C-746/18, ECLI:EU:C:2021:152
- ✓ *Court of Appeal, Ireland*, [2021] IECA 45

### **D. Dynamic Injunctions & Other Forms of Evolving Injunctions –**

- ✓ *Dabur India Limited v. Ashok Kumar*, 2022 SCC OnLine Del 1784: (2022) 91 PTC 360
- ✓ *Snapdeal Pvt. Ltd. v. Snapdeal lucky draws.org.in*, 2020 SCC OnLine Del 2125
- ✓ *Gujarat Cooperative Milk Marketing Federation Ltd. v. Amul Franchise.in*, CS(COMM) No. 350/2020, order dated 28-08-2020
- ✓ *HT Media v. Hindustantimes.tech*, CS (COMM) No. 352/2022, Order dated 24-05-2022
- ✓ *Snapdeal Private Limited v. GoDaddy LLC*, 2020 SCC OnLine Del 2044
- ✓ *UTV Software Communications Ltd. v. 1337x.to*, 2019 SCC OnLine Del 8002
- ✓ *Eros International Media Ltd. v. Bharat Sanchar Nigam Limited*, 2016 SCC OnLine Bom 10458
- ✓ *Warner Brothers Entertainment v. http.torrents.com*, 2022 SCC OnLine Del 1738, (2022) 91 PTC 518

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✓ *Neetu Singh v. Telegram FZ LLC*, 2022 SCC OnLine Del 2637

**E. Geo Blocking Injunctions and Global Injunctions –**

✓ *Swami Ramdev v. Facebook, Inc.*, 2019 SCC OnLine Del 10701

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