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

Date of Decision: **30.03.2026**

IN THE MATTERS OF:

+ **W.P.(C) 11301/2025**

REEPAK KANSAL

.....Petitioner

Through: Mr. Deepak Kansal, Mr. Ipsit Pallav,
Mr. Hridyesh Singh, Ms. Geeta Rani,
Mr. Adhyayan Gupta, Adv.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Adv P.S Singh CGSC, Adv Shivangi
Sharma, Adv Mrityunjay Kumar
Singh, Adv Rajneesh k Sharma,
Adv. for R-1&2.

Mr. Vivek Reddy, Senior Advocate
with Ms. Swati Agarwal, Mr.
Shashank Mishra, Ms. Shivika
Mattoo, Ms. Rithika Mathur, Mr.
Pival Peddireddi, Mr. Suvaroop Saha
Roy, Advocates for R-3.

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+ **W.P.(C) 18145/2025**

DR. ADISH C AGGARWALA

.....Petitioner

Through: Mr. Deepak Kansal, Mr. Ipsit Pallav,
Mr. Hridyesh Singh, Ms. Geeta Rani,
Mr. Adhyayan Gupta, Adv.



versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr Amit Tiwari CGSC Ms Ayushi Srivastava Mr Ayush Tanwar Adv Mr Kushagra Malik Adv. for UoI.
Mr. Vivek Reddy, Senior Advocate with Ms. Swati Agarwal, Mr. Shashank Mishra, Ms. Shivika Mattoo, Ms. Rithika Mathur, Mr. Pival Peddireddi, Mr. Suvaroop Saha Roy, Advocates for LLC/R-3.

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+ W.P.(C) 18178/2025

ROHIT PANDEY

.....Petitioner

Through: Mr. Deepak Kansal, Mr. Ipsit Pallav, Mr. Hridyesh Singh, Ms. Geeta Rani, Mr. Adhyayan Gupta, Advs.

versus

UNION OF INDIA

.....Respondent

Through: Mr Amit Tiwari CGSC Ms Ayushi Srivastava Mr Ayush Tanwar Adv Mr Arpan Narwal Mr Kushagra Malik Adv. for UoI.
Mr. Vivek Reddy, Senior Advocate with Ms. Swati Agarwal, Mr. Shashank Mishra, Ms. Shivika Mattoo, Ms. Rithika Mathur, Mr. Pival Peddireddi, Mr. Suvaroop Saha Roy, Advocates for LLC/R-3.



CORAM:
HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

J U D G E M E N T

PURUSHAINDR KUMAR KAURAV, J. (ORAL)

1. The grievance raised in these writ petitions relates to banning of the petitioners' WhatsApp account. The Court earlier issued notices to the respondents.
2. WhatsApp, LLC is represented by Mr. Vivek Reddy, learned senior counsel. He submits that as per policy guidelines, WhatsApp has to constantly monitor the accounts and in case of any violation, action is contemplated as per the extant policy. According to him, in all three cases, the ban has been lifted.
3. Learned counsel appearing for the petitioners, however, submit that the messages etc. are being transmitted, however, the entire data which the petitioners had in their WhatsApp has not been restored, and the same is not accessible to them. They, therefore, contend that the same is causing undue hardship to all the petitioners who are highly respected and reputed counsel practising in various courts.
4. The Court, however, finds that Rule 3A of the Information Technology (Intermediary Guidelines and Digital Media Ethics



Code), Rules, 2021 [**Rules**], provides for grievance redressal mechanism by the Appellate Committee. The said provision is extracted below, for reference:

“3A. Appeal to Grievance Appellate Committee(s).—

(1) The Central Government shall, by notification, establish one or more Grievance Appellate Committees within three months from the date of commencement of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2022.

(2) Each Grievance Appellate Committee shall consist of a chairperson and two whole time members appointed by the Central Government, of which one shall be a member ex-officio and two shall be independent members.

(3) Any person who is aggrieved by a decision of the Grievance Officer or whose grievance is not resolved within the period specified for resolution in sub-clause (i) of clause (a) of subrule (2) of rule 3 or clause (b) of sub-rule (2) of rule 3 or sub-rule (11) of rule 4A, as the case may be may prefer an appeal to the Grievance Appellate Committee within a period of thirty days from the date of receipt of communication from the Grievance Officer.

(4) The Grievance Appellate Committee shall deal with such appeal expeditiously and shall make an endeavour to resolve the appeal finally within thirty calendar days from the date of receipt of the appeal.

(5) While dealing with the appeal if the Grievance Appellate Committee feels necessary, it may seek assistance from any person having requisite qualification, experience and expertise in the subject matter.

(6) The Grievance Appellate Committee shall adopt an online dispute resolution mechanism wherein the entire appeal process, from filing of appeal to the decision thereof, shall be conducted through digital mode.

(7) Every order passed by the Grievance Appellate Committee shall be complied with by the intermediary concerned or the online gaming self-regulatory body concerned, as the case may be, and a report to that effect shall be uploaded on its website.”

5. The Division Bench of this Court in the case of **Ravinder v. Union of India**,¹ has dealt with the submissions made by the aggrieved parties therein regarding inefficacy of the said remedy.

¹ LPA 35/2025 dated 15.01.2025



The Court in paragraph 7 of the said decision found itself unable to accept the submissions that the mechanism as prescribed under Rule 3A of the Rules, does not provide an efficacious remedy for addressing the grievance.

6. The petitioners in these writ petitions may be correct in contending that their grievance has not been fully mitigated, however, the same will have to be looked into by the Appellate Committee in accordance with the extant rules and regulations.

7. If the petitioners' grievance still persists, the same will have to be redressed by the concerned Appellate Committee.

8. For all those reasons, the Court disposes of these writ petitions with liberty to the petitioners to approach the Grievance Appellate Committee through Grievance Officer.

9. It be noted that even in Rule 3A, the grievance will have to be decided within 30 days from the date of receipt of the communication from the Grievance Officer. Let the complaint be made to the Grievance Officer.

10. Let the Grievance Officer also to immediately take necessary steps in accordance with the extant rules in sending the same to the Appellate Committee. If the petitioners' grievance is not fully mitigated, they shall be at liberty to take appropriate recourse in accordance with law.

11. Petitions stand disposed of.



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12. All rights and contentions are left open.

(PURUSHAINDRA KUMAR KAURAV)
JUDGE

MARCH 30, 2026/P