



\$~59

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

+ **CS(COMM) 702/2026**

ABHISHEK SHARMAPlaintiff

Through: Mr. Gaurav Bahl, Mr. Ankur Khanna,
Ms. Arundhati Dhar and Ms. Harshita and Mr.
Sachin Thakkar, Advocates.

versus

ASHOK KUMAR & ORS.Defendants

Through: Mr. Manas Raghuvanshi, Advocate
for D-14/Amazon Seller Services Private Limited.
Mr. Varun Pathak, Ms. Prasidhi Aggarwal and Ms.
Nivedita Sudheer, Advocates for D-16/Meta
Platforms, Inc.
Mr. Deepak Gogia, Mr. Aadhar Nautiyal and Ms.
Shivangi Kohli, Advocates for D-17/X Corp.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **09.07.2026**

I.A. 17025/2026 (for pre-institution mediation)

1. This application is filed on behalf of the Plaintiff under Section 151 CPC seeking exemption from Pre-Institution Mediation under Section 12-A of the Commercial Courts Act, 2015.
2. 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.



3. Application is allowed and disposed of.

I.A. 17026/2026

4. This application is filed on behalf of the Plaintiff under Section 80(2) read with Section 151 CPC seeking exemption from issuing the mandatory notice under Section 80(1) CPC on Defendant No. 18/MeitY and Defendant No. 19/DoT.

5. On account of urgent relief prayed for by the Plaintiff which needs hearing today, Plaintiff is exempted from issuing the mandatory notice under Section 80(1) CPC on Defendant No. 18/MeitY and Defendant No. 19/DoT.

6. Application is allowed and disposed of.

I.A. 17024/2026 (u/O XI Rule 1 (4) r/w Section 151 CPC)

7. This application is filed on behalf of the Plaintiff seeking to place on record additional documents.

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

9. Application is allowed and disposed of.

CS(COMM) 702/2026

10. Let plaint be registered as a suit.

11. Issue summons.

12. Counsels, as above, accept summons on behalf of the respective Defendants.

13. Upon filing of process fee, issue summons to Defendants No. 2 to 8 and 13 through their social media handles; Defendants No. 9 to 12 through their social media handles as well as through all permissible modes and Defendants No. 15, 18 and 19 through all permissible modes, returnable before the learned Joint Registrar on 11.08.2026.



14. Summons shall state that the written statements shall be filed by Defendants No. 2 to 13 within 30 days from the receipt of summons along with affidavits of admission/denial of the documents filed by the Plaintiff.

15. It will be open to the Plaintiff to file replications within 30 days from the date of receipt of written statements along with affidavits of admission/denial of documents filed by Defendants No. 2 to 13.

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

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

I.A. 17023/2026 (u/O XXXIX Rules 1 and 2 r/w Section 151 CPC)

18. This application is filed by the Plaintiff under Order XXXIX Rules 1 and 2 read with Section 151 of CPC for grant of *ex parte* ad interim injunction.

19. Issue notice.

20. Counsels, as above, accept notice on behalf of the respective Defendants.

21. Upon filing of process fee, issue notice to Defendants No. 2 to 8 and 13 through their social media handles; Defendants No. 9 to 12 through their social media handles as well as through all permissible modes and Defendants No. 15, 18 and 19 through all permissible modes, returnable before Court on 17.11.2026.

22. Case of the Plaintiff as set out in the plaint is that the Plaintiff is a well-known Indian cricketer of national and international repute and has by virtue of his achievements, performances and public standing, acquired substantial recognition, reputation and goodwill, amongst general public,



both in India and internationally. Plaintiff has represented India at various levels and achieved significant milestones, including leading India's Under-19 team to victory in the Youth Asia Cup, 2016, while also emerging as one of the leading performers in the tournament. He played a key role in India's victorious campaign in the ICC Under-19 World Cup, 2018.

23. It is stated that Plaintiff made his debut with the senior Indian Cricket Team during India's tour of Zimbabwe on 06.07.2024 at the age of 24 and established himself as a prominent performer in the international cricket within a remarkably short span. In his second match itself, Plaintiff scored his maiden century, thereby becoming one of the fastest Indian players to achieve a T20 International century in terms of innings. Plaintiff further distinguishes himself by becoming one of the youngest players to register a maiden T20 International century and in 2025, Plaintiff recorded the highest individual score for India in T20 Internationals by scoring 135 runs, which included multiple sixes and boundaries and also achieved several notable milestones, including fastest half-centuries and centuries for India and setting records in terms of scoring rate and number of sixes in an inning. Plaintiff has represented India in approximately 46 international matches and within a short span scored approximately 1,438 runs. At the domestic level, Plaintiff has been a key contributor to his State team, Punjab and played pivotal role in securing maiden Syed Mushtaq Ali Trophy title in the 2023-24 season, for which he was awarded the 'Player of the Series' award.

24. It is stated that Plaintiff commenced his franchise cricket career in Indian Premier League in 2018, upon being selected by the Delhi Daredevils. Plaintiff made a notable debut by scoring 46 runs off 19 balls, thereby demonstrating his exceptional talent and potential. In the 2024 season of IPL, Plaintiff was associated with Sunrisers Hyderabad, where he



emerged as a key contributor to the team's performance and during the said season he was awarded the 'Most Sixes' award and also recorded one of the fastest half-centuries for his franchise. In 2025 season of IPL, Plaintiff achieved a landmark performance by scoring 141 runs off 55 balls, thereby setting the record for the highest individual score by an Indian player and the third-highest individual score in the history of the league.

25. It is stated that Plaintiff's consistent performances led him to attaining the No. 1 position in the ICC Men's T20 International rankings, making him one of the youngest Indian players to achieve such distinction. During the 2025 Asia Cup, Plaintiff emerged as the highest run-scorer of the tournament, amassing 314 runs and being awarded the Player of the Tournament, fortifying his exceptional stature in international cricket. Plaintiff was named as ICC Men's Player of the Month for September, 2025 and has won the prestigious Wisden Leading T20 Cricketer in the World for 2026. In addition to cricketing achievements, Plaintiff maintains a significant presence across social media platforms including Instagram, where he enjoys a following of approximately 10.4 million users, thereby substantially enhancing the commercial value, marketability and public recognition of his personality and persona. By virtue of his consistence performances, Plaintiff has acquired substantial recognition, goodwill and a rapidly expanding fan base across India and internationally and has every right to protect his name, image, voice and likeness as attributes of his personality. Leading brands such as Titan, Gillette, Colgate, Coca-Cola and Garnier have been endorsed by the Plaintiff as their brand ambassador, which reflects the substantial commercial credibility, trust and goodwill attached to his personality attributes and his visibility as a cricketing personality on television and other social media platforms has led to his



personality attributes being recognised by the general public.

26. It is stated that Defendant No. 1/Ashok Kumar/John Doe is an unknown and presently unidentified persons, engaged in infringing, misappropriating and/or otherwise unlawfully exploiting Plaintiff's personality, privacy and publicity rights, particularly, through digital and online platforms. Defendant No. 2 is a Facebook profile operating under the name 'Cricket zone' with approximately 1,24,000 followers and is engaged in publishing and disseminating AI-generated images of the Plaintiff, falsely and fictionally creating events that have not occurred with the Plaintiff. The impugned content misrepresents Plaintiff's views and creates a false impression of him and lowers his dignity. Defendant No. 3 is an Instagram account operating under the name 'sdcricfact661', engaged in publishing and disseminating videos with superimposed text containing false, baseless and absolutely untrue statements, thereby creating false rumours regarding the Plaintiff and lowering his commercial value. The impugned video has more than 2,70,000 views and is being circulated amongst members of the public. Defendant No. 4 is a Facebook account operating under the name 'Mahakal' and is engaged in creating false AI-generated images of the Plaintiff with the CEO of the franchise Sunrisers Hyderabad, in an obscene manner.

27. It is stated that Defendant No. 5 is an Instagram account operating under the name 'Bihari_nitish_g' and is engaged in creating and disseminating false AI-generated images of the Plaintiff with misleading captions, showing the Plaintiff with the CEO as though they have a personal and intimate relationship. Defendant No. 6 is also an Instagram account operating under the name 'footballpaglulo', which is creating morphed images of the Plaintiff with superimposed text containing abusive, offensive and uncivilized language, which is tarnishing the image of the Plaintiff.



Defendant No. 7 is a Facebook account operating under the name ‘Cricket In India’, having more than 1 million followers and is publishing and disseminating AI-generated images of the Plaintiff, which are obscene on a mere look. The same is the position with Defendant No. 8 which is also an Instagram account operating under the name ‘radhikamaroo61’.

28. It is stated that some unauthorised merchants are unlawfully selling merchandise using Plaintiff’s name, image and likeness and other elements of his persona to make commercial gains without Plaintiff’s consent and authorization and giving an impression as if Plaintiff is endorsing the merchandise or has some affiliation with it. This amounts to unlawful commercial exploitation and additionally, if the goods are of inferior quality it would amount to further debasement of Plaintiff’s goodwill and reputation garnered over the years through hard work. Defendant No. 9 is an e-commerce entity operating under the name ‘The Pop Tees’, with the legal name ‘Twin Tigers’ and is engaged in the business of manufacturing, listing, offering for sale and selling t-shirts bearing Plaintiff’s name and likeness without any authorization. Defendant No. 10 is an e-commerce entity operating under the name ‘Your Jersey’ and is engaged in the business of manufacturing, listing, offering for sale and selling apparel, including t-shirts and jerseys, bearing Plaintiff’s name, image and likeness without authorization. Defendant No. 11 is also an e-commerce seller/store operating under the name ‘Neon Attack’, which is the trade name for ‘Salasar Trading Co’ and is engaged in the unauthorized sale of photo frames prominently displaying Plaintiff’s image and likeness. Defendant No. 12 is offering posters prominently displaying Plaintiff’s image and name for commercial exploitation.

29. It is further stated that Defendant No. 14/Amazon and Defendant No.



15/Flipkart are online marketplace platforms which enable third-party sellers to advertise, list and offer for sale various products and merchandise and are being used to host products bearing Plaintiff's name, image, etc. without his authorization and derive monetary benefit from such hosting. Defendant No. 16/Meta Platforms, Inc., owns, operates and controls the social media platforms including Instagram and Facebook, which are hosting, publishing, disseminating and enabling the monetization of content, including AI-generated content, which has been uploaded by Defendants No. 2 to 8. Defendant No. 17/X Corp., owns, operates and controls the social media platform 'X', on which Defendant No.13 has uploaded infringing posts, which are unlawfully exploiting name, image and likeness and portraying him in a derogatory manner. Defendants No. 18 and 19 are the Ministry of Electronics and Information Technology (MeitY) and the Department of Telecommunications (DoT) respectively, who have been impleaded to facilitate implementation of Court orders.

30. Learned counsel for the Plaintiff submits that by virtue of Plaintiff's professional achievements, public visibility and rapidly growing stature in the cricketing field, he has acquired a distinctive public persona and is instantly recognizable by his name, image, voice, facial features, expression, mannerisms, style of speech, etc. all of which function as source identifiers in the mind of the public. Owing to Plaintiff's reputation and stature in India and overseas, Plaintiff's personality attributes possess immense commercial value. Plaintiff's personal attributes are being unauthorizedly used by Defendants No. 1 to 15 to unlawfully show a nexus/affiliation/association with the Plaintiff. Defendants No. 1 to 8 are uploading content which is false and portraying the Plaintiff in a manner, which lowers his image and dignity and some of the content is extremely obscene causing reputational harm.



Defendants No. 9 to 12 are selling merchandise using Plaintiff's name, image and likeness, for unlawful commercial gains by misrepresenting that they have some association with the Plaintiff and/or that their products are endorsed by him, without his consent, knowledge and authorization. Defendants No. 14 to 16 are hosting the unlawful content, which is being disseminated to the public and is damaging Plaintiff's reputation and goodwill, merely for commercial benefits. It is urged that this Court has in several orders recognised and protected publicity and personality rights of individuals. In ***Sunil Gavaskar v. Cricket Tak (CRICKETTAK557) and Ors., CS (COMM) 1329/2025***, vide order dated 23.12.2025, this Court restrained the Defendants from using Plaintiff's name, likeness, image and signature as also other attributes of his persona and in light of the documents on record, similar relief be granted to the Plaintiff.

31. Having heard learned counsel for the Plaintiff and upon perusal of the documents, 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 the Plaintiff and he is likely to suffer irreparable harm in case the interim injunction, as prayed for, is not granted.

32. Personality rights have been recognised by this Court in several orders passed from time to time. Plaintiff has a right to protect his name, likeness and all other attributes of his personality and no third party has a right to use these attributes without his consent/authorization. In ***D.M. Entertainment v. Baby Gift House and Others, 2010 SCC OnLine Del 4790; Anil Kapoor v. Simply Life India and Others, 2023 SCC OnLine Del 6914; and Jaikishan Kakubhai Saraf v. Peppy Store and Others, 2024 SCC OnLine Del 3664***, this Court has held that unauthorised use of a person's name, image or other distinctive attributes for commercial purposes constitutes an infringement of



his rights, amounts to dilution of the individual's unique identity and leads to unearned commercial gain by others. It is well settled that where such personality rights are established, the individual is entitled to protection by way of injunction against their unauthorised use or exploitation. In ***Sunil Gavaskar (supra)***, this Court restrained the Defendants from misusing Plaintiff's name, likeness, image and signature and/or other attributes of his persona, noting that the infringing content would cause irreparable injury to him considering his reputation, goodwill and stature. The Supreme Court in ***R. Rajagopal Alias R.R. Gopal and Another v. State of T.N. and Others, (1994) 6 SCC 632***, has disapproved any form of misuse or commercial use of a celebrity's name, voice, persona and likeness, holding that the right to privacy would stand violated where, for example, a person's name or likeness is used without his consent for advertising or non-advertising purposes.

33. Plaintiff is a prominent player of the Indian National Team and is widely recognized as a rising and influential figure in international cricket also having attained the No. 1 position in ICC Men's T20 International rankings. He has emerged as the highest run-scorer and was bestowed with the Player of the Tournament in 2025 Asia Cup, award as also recognised as Wisden Leading T20 Cricketer in the World in 2026. The documents placed on record show that Defendants No. 1 to 8 have uploaded content, which is false and obscene and is portraying the Plaintiff in a bad light besides attributing to Plaintiff acts and words, which are untrue. Defendants No. 9 to 12 are selling merchandise with name, image and likeness of the Plaintiff for unlawful commercial gains, without his consent/authorization and this is severely impacting Plaintiff's commercial value, which he has a right to protect.



34. During the course of hearing, learned counsels for some Defendants, appearing on advance copy, point out that some impugned posts have already been removed and few are not available/non-accessible and a table has been handed over in this context giving details of posts removed/not accessible/still showing, which is also shared with counsel for the Plaintiff. Basis the data furnished, the following directions are being issued.

35. It is directed that till the next date of hearing:-

(a) Defendants No. 1 to 8 as also those acting on their behalf are restrained from using and/or in any other manner, directly or indirectly, exploiting or misappropriating Plaintiff's: (i) name Abhishek Sharma; (ii) image; (iii) voice; and (iv) likeness and/or any other attribute of his persona, without his authorization or consent, for any commercial and/or personal gain, through the use of technology and/or any other medium and format, amounting to violation of Plaintiff's personality/publicity rights. Said Defendants are also restrained from creating, publishing, uploading, sharing, re-sharing, disseminating and/or amplifying in any manner, any photographs, audio recordings, video recordings and/or other audio-visual depictions featuring and/or using any attributes of Plaintiff's persona, including through style of speech, face swapping, morphing, superimposing and/or any AI generated or deepfake representation as also from publishing or circulating any false or obscene content, concerning the Plaintiff.

(b) Defendants No. 9 to 12 and all those acting on their behalf are restrained till the next date of hearing from manufacturing, listing, advertising, offering for sale and/or selling any merchandise, including t-shirts, jerseys, photo frames, art and posters, bearing



Plaintiff's name, image, likeness and/or any other Personality Attributes, without the authorization and consent of the Plaintiff.

(c) Defendant No. 16 shall take down the URLs at Serial Nos. 1 and 2 of the table in **Annexure-A** of this order. Defendant No. 9 shall take down the URLs at Serial No. 3 and Defendant No. 10 shall take down the URL at Serial No.4. Defendant No. 12 is directed to take down the URLs at Serial No. 5 of the table. Defendant No. 14/Amazon shall take down the URLs mentioned in Serial No. 6 and Defendant No. 15/Flipkart shall take down the URLs mentioned in Serial No. 7 of the table in **Annexure-A** of this order. Action as directed, shall be taken within 36 hours from receipt of copy of this order.

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

JYOTI SINGH, J

JULY 9, 2026
S.Sharma



Annexure-A

S. No.	PARTY	URLs
1.	Defendant No. 6	https://www.instagram.com/p/DWvwh7vEw1s/
2.	Defendant No.8	https://www.instagram.com/p/DXVcvHLlj_E/
3.	Defendant No.9	https://thepoptees.in/products/abhishek-sharma-t-shirt-men-women-mood-white-copy
		https://thepoptees.in/products/abhishek-sharma-4-t-shirt-men-women-mood-white-copy
		https://thepoptees.in/products/ishan-krishan-t-shirt-men-women-midnight-black-copy
4.	Defendant No.10	https://yourjersey.in/products/abhisix-sharma-india-t20-cricket-jersey-2026-player-edition-sports-jersey-custom-name-number-personalized-cricket-t-shirt-for-kids-men-women-breathable-sportswear-2y-4xl
5.	Defendant No.12	https://www.turtlewings.co.in/products/cricket-metal-frame-abhishek-sharma-the-mind-wins-the-battle-before-the-bat-even-swings-icc-mens-t20-world-cup-2026-metal-frame
		https://www.turtlewings.co.in/products/cricket-metal-frame-abhishek-sharma-captain-and-coach-had-faith-icc-mens-t20-world-cup-2026-metal-poster



6.	Defendant No.14	https://www.amazon.in/Fearless-Abhishek-Cricket-Motivational-Unframed/dp/B0G8RR8XWN/ref=sr_1_17_sspa
		https://www.amazon.in/KUNDAN-STORE-Cricketer-Unbeatable-Memorabilia/dp/B0G9ZM8RVK/ref=sr_1_25
		https://www.amazon.in/Mad-Masters-SunRisers-Hyderabad-Merchandise/dp/B0GVT6H6ZQ/ref=sr_1_31
		https://www.amazon.in/TenorArts-Abhishek-Hyderabad-Cricket-Adhesives/dp/B0GT5T5B69/ref=sr_1_33
7.	Defendant No. 15	https://www.flipkart.com/nsenterprisess-wood-wall-photo-frame/p/itm08176d2fe2298?pid=PHFHJY7XYXZZ2Z6Q
		https://www.flipkart.com/abhishek-sharma-premium-wall-poster-paper-print/p/itm42a9c85446c40
		https://www.flipkart.com/roorkee-styles-polymer-wallphotoframe/p/itma159c0b0ca20a
		https://www.flipkart.com/abhisheksharma-poster-wallcricketer-homeoffice-decorationfine-artprint/p/itm07458d99fadbb