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

+ W.P. (C) 3073/2020, CM APPL.No.10685/2020

SHUBHAM KAPALEY

..... Petitioner

Through: Mr. Abhimanyu Mahajan, Ms. Sneha Jain, Ms. Disha Thakre, Advocates.

versus

RESERVE BANK OF INDIA AND ORS

..... Respondent

Through: Mr. Ramesh Babu, Advocate for RBI.
Ms. Maninder Acharya, Additional Solicitor General with Mr. Ripu Daman Bhardwaj, Advocate for UOI.
Mr. Akhil Anand, Mr. Himanshu Vij, Mr. Vaibhav Kakkar, Advocate for respondent No.5.

CORAM:

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% **14.05.2020**

CM APPL.No.10685/2020.(For exemption from filing duly affirmed affidavit, Original documents, inadequate margins and dim annexures)

1. The application is allowed subject to the petitioner filing duly affirmed affidavit(s) alongwith the court fees/deficit court fees, if any, within 72 hours from the date of resumption of the regular functioning of this court.

2. The application is disposed of.

W.P. (C) 3073/2020

1. By this petition the petitioner seeks *inter alia* the following reliefs:

- a) *Direct the respondent No.1, 2, 3 and 4 to immediately take action against respondent No. 5 which is provisioning its services by way of “Google Pay” in India;*
- b) *Direct the respondent No. 1 and 2 to immediately suspend operations of respondent No. 5 in UPI through its App “Google Pay” till it completely complies with interoperability;*
- c) *Direct respondent No. 1 and 2 to conduct a thorough Third party and independent investigation of respondent No. 5’s App Google Pay app to check compliance of every directive, guidelines issued by NPCI and RBI;*
- d) *Direct respondent No. 5 to suspend its operations and/or not expand its user base uptill a thorough independent third party audit by CERT-IN or any other reputed third party app of the Google Pay App is conducted and certified by respondent No. 1 and 2;*
- e) *Direct the respondent No. 1 and 2 to initiate proper punitive action against the respondent No. 5 for its wilful and continued non-compliance of directions/ circular of respondent No. 1 and 2;*
- f) *Impose a hefty penalty amounting to at least 10 times revenue of Google Pay, since start of its operations in India to be contributed towards Covid-19 Relief Fund in India;*
- g) *Pass such other or further order(s), as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case and in the interest of justice.*

2. Issue notice.

3. Mr. Ramesh Babu learned counsel for RBI, Mr. Ripu Daman

Bhardwaj Advocate for UOI and Mr. Akhil Anand, Advocate for respondent No.5 accept notice of the petition and seek three weeks' time to file responses to the present petition.

4. Let the response to the petition be filed by the counsel representing the respective respondents within three weeks with advance copies to counsel for the petitioner, who may file rejoinders, if any, within 10 days thereafter.

5. List the petition after the pleadings are complete.

ASHA MENON, J

MAY 14, 2020

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