



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF JANUARY, 2025

PRESENT

THE HON'BLE MR N. V. ANJARIA, CHIEF JUSTICE

AND

THE HON'BLE MR JUSTICE M.I.ARUN

WRIT PETITION NO. 29555 OF 2024 (GM-RES-PIL)

BETWEEN:

1. MD IMRAN REZA
S/O. MD MADANI,
17, 6TH CROSS,
NAGGANNATHPURA,
HOSA ROAD,
BANGALORE-560 100.

...PETITIONER

(BY SRI. IMRAN REZA-PETITIONER-IN-PERSON)

AND:

1. NOBROKER TECHNOLOGIES
SOLUTIONS PVT. LTD.,
BREN MERCURY, NO.835/39,
6TH FLOOR, KAIKONDRAHALLI,
SARJAPUR MAIN ROAD,
BANGALORE KA 560 035.

...RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT, ORDER, OR DIRECTION AS UNDER: A. PERMANENT INJUNCTION: ISSUE A PERMANENT INJUNCTION PROHIBITING NOBROKER TECHNOLOGIES SOLUTIONS PVT. LTD. FROM INSTALLING OR ENFORCING ANY SOFTWARE OR FILES THAT ACCESS OR MODIFY SYSTEM CONFIGURATIONS





ON EMPLOYEES' PERSONAL DEVICES WITHOUT EXPLICIT, INFORMED CONSENT AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE THE CHIEF JUSTICE MR. JUSTICE
N. V. ANJARIA
and
HON'BLE MR JUSTICE M.I.ARUN

ORAL JUDGMENT

(PER: HON'BLE THE CHIEF JUSTICE
MR. JUSTICE N. V. ANJARIA)

Heard the petitioner-party-in-person Mr. MD Imran Reza.

2. The petitioner seeks to invoke the public interest jurisdiction of this Court under Article 226 of the Constitution raising a grievance *inter alia* that because of certain actions and omissions on part of the respondent-NoBroker Technologies Solutions Pvt. Ltd., which is a private company, the employees are forced to surrender their digital privacy under the threat of losing access to work tools.

3. It is alleged that the unauthorized control and data collection operate also in violation of the provisions made under the Information Technology Act, 2000. It is contended that the



employees of the respondent-Company are required to work from home and are further directed to install a mandatory software on their personal devices. It is alleged that certain unauthorized modifications are done in these devices which has resulted into private access as the modifications enable the company to monitor and control the personal browsing activities of the employees without obtaining explicit consent or disclosing the extent of data access.

4. With such premise based on the pleadings, the prayers advanced are *inter alia* to issue permanent injunction from installing or enforcing any software or files access, against the respondent-Company. It is further prayed to require the company to carryout independent audit regarding data handling procedures etc. It is also prayed to establish an External Oversight Committee. The further prayer is to require the Company to identify and permanently delete the data which was unlawfully accessed and collected. It is prayed that the Company has committed a criminal breach of trust for which, it is required to be prosecuted.

5. It is for three reasons that the Court is not inclined to entertain this petition. Firstly, the respondent is a private company.



In all normal circumstances, as also in this case, writ petition under Article 226 of the Constitution, would not lie and no writ could be issued. Secondly, the writ petition including in the nature of public interest petition would not be maintainable. Thirdly, the petition is based on bald allegations without any specific or concrete instance, the petitioner has made general prayers which are too omnibus to be considered for alleged privacy violations.

6. For all the aforesaid reasons, this Court is not inclined to entertain the petition. Any individual violation of privacy rights may be a cause of action for initiating appropriate legal proceedings as may be permissible in law, in accordance with law.

7. The present petition is dismissed.

**Sd/-
(N. V. ANJARIA)
CHIEF JUSTICE**

**Sd/-
(M.I.ARUN)
JUDGE**

PGG
List No.: 1 Sl No.: 14