



The Right Not to Be Published: Inside the Delhi High Court's Landmark 'Right to Be Forgotten' Judgment

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In a digital landscape where the internet never forgets, an individual's past can keep haunting them. On May 29, 2026, the Delhi High Court fundamentally altered this reality. In the landmark ruling of **Laksh Vir Singh Yadav v. Union of India & Ors.**, the Hon'ble Mr. Justice Sachin Datta delivered a sweeping 144-page judgment that establishes a constitutional 'Right Not to Be Published' under the umbrella of informational privacy.

The ruling marks a historic shift in Indian jurisprudence, balancing justice with an individual's right to move on from the resolved legal disputes.

Anatomy of the Court's Order

The case arose from over 30 petitions filed by individuals, people who had been acquitted, had settled their disputes, or had their cases quashed. Even then, their names kept appearing in search results linked to old legal cases, which continued to harm their reputation.

To remedy this digital scarlet letter, the Court issued a series of definitive directives:

- **Global De-indexing:** Google and other search engine operators must remove relevant content, orders, and associated reportage from name-based search results worldwide.
- **Database Restrictions:** Public legal databases, such as Indian Kanoon, must restrict internal name-based search functionalities for identified petitioners.
- **Identity Masking:** Petitioners may apply directly to the original rendering courts to mask personal identifiers in original judgments.
- **MeitY Enforcement:** The Ministry of Electronics and Information Technology (MeitY) must ensure intermediary compliance within two weeks.

Previous vs latest order:

The Court clearly specified that de-indexing will not be allowed in certain cases i.e. serious offenses



against women or children, corruption, and cases where public figures try to erase parts of their past only to protect their image.

For the past two years, Delhi High Court jurisprudence was dominated by high-profile personality rights cases, such as Jackie Shroff, Amitabh Bachchan, Hritik Roshan and Aishwarya Rai Bachchan among others. These cases essentially involved celebrities protecting their personas from unauthorized commercial exploitation.

Laksh Vir Singh Yadav addresses the right of an individual to demand that accurate but no longer relevant information be suppressed from public view

Through this order, the Court chose a middle path. It did not ask for the court records to be completely deleted. Instead, it said that the records can remain available through case number or citations but should not easily appear when a name-based search is conducted. This protects open justice while reducing the casual profiling of individuals.

Impact

- Acquitted and discharged individuals gain an immediate, actionable constitutional right and they no longer need to depend on the incomplete frameworks of the Digital Personal Data Protection Act (DPDPA), 2023, or platform-specific grievance mechanisms.
- Celebrities and Public Figures will be protected in instances of AI deepfakes created of the actor while preserving his right to pursue privacy-based de-indexing for non-commercial harms, as also addressed in the case of Varun Dhawan v. Artist Booking Company & Ors. CS(COMM) 626/2026).

Conclusion

Even though the judgment is forward-looking, it may be difficult to implement in practice. The Court has said that if privacy harm is global, then de-indexing should also apply globally. But other countries, especially the United States, are unlikely to accept or enforce such orders because of the protections under the First Amendment.

Another issue is that India still does not have a detailed law on the right to be forgotten with clear public-interest exceptions, unlike the European Union's GDPR.

Historically, the Supreme Court of India has stayed some High Court orders that tried to remove or erase public records. So, the key question is whether this judgment's balanced approach will stand if it is challenged before the Supreme Court.



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