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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 74/2021**

TEN EVENTS & ENTERTAINMENT

..... Plaintiff

Through Mr.Abhishek Malhotra, Ms.Shilpa
Gamnani and Ms.Atmaja Tripathi,
Adv.

versus

NOVEX COMMUNICATIONS PVT. LTD. & ORS....Defendants

Through Mr.C.M.Lall, Sr.Adv. with
Mr.Jasdeep Dhillon, Ms.Nancy Roy
and Mr.Prabhat Chaurasia, Adv. for
D-1.

Mr.Neeraj K.Gupta, Adv. for D-2.

Mr.Ameet Datta, Mr.Himanshu
Bagai, Mr.Munish Mehra,
Ms.Deepshikha Sarkar and Mr.Vivek
Prasad, Adv. for D-3.

Mr.Sudeep Chatterjee, Mr.Tejveer
Singh and Ms.Shifa Nagar, Adv. for
D-4.

Mr.Sanjeev Sindhwani, Sr.Adv. with
Ms.Rajeshwari H and Mr.Kumar
Chitranshu, Adv. for D-8.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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12.02.2021

This hearing is conducted through video conferencing.

IA No.2291/2021

Allowed subject to just exceptions.

IA No.2290/2021

Court fees be paid within two weeks.

The application is disposed of.



CS(COMM) 74/2021

Let the plaint be registered as suit.

Issue summons to the defendants. Learned counsel appearing for defendants No.1, 2, 3, 4 and 8 accepts notice, respectively. Notice be issued to the other defendants through speed post, e-mail and courier, returnable for 17.02.2021.

IA No.2289/2021

1. This application is filed under Order 39 Rules 1 and 2 CPC seeking the following reliefs:

“a) Pass an interim order restraining the Defendants, their Directors, employees, officers, servants, agents, associate and group companies, and all others acting for or on their behalf from issuing notices/requiring the Plaintiff or its members to seek a license/ NOC from Defendant Nos.1-3 for marriage processions and ceremonies associated with marriages, pending final adjudication of the accompanying plaint; and

b) pending final adjudication of the plaint, grant an ex-parte ad interim order restraining the Defendants, their Directors, employees, officers, servants, agents, associate and group companies, and all others acting for or on their behalf from issuing notices/requiring the Plaintiff or its members to seek a license/ NOC from Defendant Nos.1-3 for marriage processions and ceremonies associated with marriages.”

2. Learned counsel for defendant No.3 states that if the performance is in a marriage function, defendant No.3 does not charge any amount and readily gives NOC for such kind of functions.

3. However, learned senior counsel appearing for defendant No.1, on a pointed query from this court, has raised a different contention. He states that they do not charge any royalty only in case music is played during a



religious ceremony and that any music played before and after a religious ceremony would be chargeable for royalty.

4. The matter would require for some deeper consideration. It is already 4.50 PM.

5. Issue notice to the defendants.

6. Learned counsel appearing for defendants No.1, 2, 3, 4 and 8 accepts notice, respectively. Notice be issued to the other defendants through speed post, e-mail and courier, returnable for 17.02.2021.

7. In the meantime, subject to further directions of this court, let the plaintiff deposit the fees as demanded by defendants No.1 and 2.

JAYANT NATH, J.

FEBRUARY 12, 2021/v