



2026:DHC:3001

\$~35

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

+ **CS(COMM) 700/2024 & I.A. 36773/2024, I.A. 42592/2024, I.A. 43433/2024, I.A. 43478/2024**

GURBAAZ PRATAP SINGH MANN

.....Plaintiff

Through: Mr. Arvind Nayar, Sr. Adv. with Mr.
Nikhil Palli, Mr. Nikhil Chawla, Mr.
Om Ram, Advocates
(M:9013685427)

versus

KUNWAR RAGHAV BHANDARI AND ORSDefendants

Through: Mr. Chander Lall, Sr. Adv. with Mr.
Abhishek Singh, Mr. Elvin Joshy, Mr.
J. Amal Anand, Ms. Alisha Sharma,
Mr. Shashwat Tyagi, Advocates for
D-1, 2, 4 to 7 (M:9910291290)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **25.10.2024**

I.A. 42592/2024 (Application for Condonation of delay)

1. The present application has been filed on behalf of defendant nos. 1, 2, 4 to 7 seeking condonation of delay of 20 days in filing the written statement.
2. Considering the statement made before this Court, the delay of 20 days in filing the written statement is condoned. The written statement is accordingly taken on record.
3. Application stands disposed of.

I.A. 43433/2024 (Application under Order XXXIX Rules 1 and 2 read with Section 151 CPC)



2026:DHC:3001

4. The present application has been filed on behalf of the plaintiff under Order XXXIX Rules 1 and 2 read with Section 151 of Code of Civil Procedure, 1908 (“CPC”).

5. It is submitted that the present application is being necessitated on account of new facts and material evidence regarding an upcoming tournament being organized by the defendants, which is an exact imitation and/or substantial reproduction of the Game Mechanics/Game Play of the plaintiff’s original expression “SHOT SQUAD LEAGUE”/ “THE SMASH LEAGUE”.

6. Issue notice. Notice is accepted by learned counsel for the defendants.

7. Let reply be filed within a period of four weeks. Rejoinder thereto, if any, be filed within a period of two weeks, thereafter.

8. List on 10th January, 2025.

I.A. 43478/2024 (Application under Order VII Rule 11)

9. The present application has been filed on behalf of defendant nos. 1, 2, 4 to 7 under Order VII Rule 11 CPC, seeking rejection of the plaint.

10. Learned Senior Counsel for the defendants submits that the suit fails to disclose a cause of action in favour of the plaintiff and against the defendants. He further submits that as far as copyright infringement is concerned, the case of the plaintiff is founded upon the alleged proprietary right of the plaintiff over a format of Golf namely “SHOT SQUAD LEAGUE”.

11. He submits that the very foundation of the case of the plaintiff is frivolous, baseless and non-maintainable and it is in the teeth of the settled position of law, that sports formats are not entitled to copyright protection.

12. Issue notice. Notice is accepted by learned counsel appearing for the



2026:DHC:3001

plaintiff.

13. Let reply be filed within a period of four weeks. Rejoinder thereto, if any, be filed within a period of two weeks, thereafter.

14. List on 10th January, 2025.

CS(COMM) 700/2024

15. The present suit has been filed for permanent injunction restraining infringement of copyright, infringement of trade mark, passing off, dilution, delivery up, rendition of accounts, damages, unfair competition, etc. under Section 51 and Section 55 of the Copyright Act, 1957 and Section 29, Section 27(2) and Section 135 of the Trade Marks Act, 1999.

16. The present suit is premised on the ground that the defendants are infringing the plaintiff's exclusive copyright in respect of the literary work containing the novel and original expression being 'SHOT SQUAD LEAGUE'/ 'THE SMASH LEAGUE', by exploitation and utilization of the said work in any mode and manner, without valid license or authorization from the plaintiff, in any manner whatsoever.

17. On the other hand, it is the case on behalf of the defendants that sport formats are not entitled to copyright protection.

18. Both the parties are *ad idem* that the matter can be referred to mediation to explore the possibility of settlement.

19. Accordingly, with the consent of the parties, the present suit is referred to Delhi High Court Mediation and Conciliation Centre, to be listed before the Mediator on 08th November, 2024.

20. Mediation Centre is requested to appoint a Mediator, who is well-versed with sports laws.

21. Needless to state that neither party will publicize the pendency of the



2026:DHC:3001

present suit, in view of the fact that the parties are referred to mediation.

22. List before the Court on 10th January, 2025.

23. A copy of this order be sent to Delhi High Court Mediation and Conciliation Centre, forthwith.

MINI PUSHKARNA, J

OCTOBER 25, 2024

au