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

+ **CS(COMM) 710/2023 & I.A. 19633/2023.**

PHONOGRAPHIC PERFORMANCE LIMITED Plaintiff

Through: Mr. Chander M. Lal, Sr. Adv. with
Mr. Ankur Sangal, Ms. Sucheta Roy,
Mr. Raghu Vinayak Sinha, Mr.
Shaurya Pandey and Ms. Yashi,
Advs.

versus

DIGITAL RADIO (DELHI) BROADCASTING LIMITED

..... Defendant

Through: Mr. Abhishek Malhotra, Ms.
Subhalaxmi Sen and Mr. Raghav
Shukla, Advs.

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+ **CS(COMM) 711/2023 & I.A. 19639/2023.**

PHONOGRAPHIC PERFORMANCE LIMITED Plaintiff

Through: Mr. Chander M. Lal, Sr. Adv. with
Mr. Ankur Sangal, Ms. Sucheta Roy,
Mr. Raghu Vinayak Sinha, Mr.
Shaurya Pandey and Ms. Yashi,
Advs.

versus

MUSIC BROADCAST PRIVATE LIMITED

..... Defendant

Through: Mr. Jayant Mehta, Sr. Adv. with Mr.
Sagar Chandra, Mr. Srijan Uppal, Ms.
Urvashi Garg, Ms. Kriti Ramudamu
and Mr. Akshat Agarwal, Advs.

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+ **CS(COMM) 712/2023 & I.A. 19645/2023.**

PHONOGRAPHIC PERFORMANCE LIMITED Plaintiff



Through: Mr. Varun Lal, Ms. Radhika Arora,
Mr. Jaikaran Singh and Mr. Alvin
Antony, Advs.

versus

ENTERTAINMENT NETWORK (INDIA) LIMITED (ENIL)

..... Defendant

Through: Mr. Abhishek Malhotra, Ms.
Subhalaxmi Sen and Mr. Raghav
Shukla, Advs.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
08.01.2024

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1. Mr. Chander M. Lal, Senior Counsel for the plaintiff has sketched out the canvass in which he presses the applications under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 (being I.A. Nos. 19633/2023, 19639/2023, and 19645/2023), in that, the issue revolves around the compliance of Rule 29 of the Copyright Rules, 2013 by a user of sound recordings, rights of which are owned by the plaintiff-company. According to him, the said Rules have been upheld by the Hon'ble Supreme Court, and thus, the defendants ought to strictly comply with them; compliance of which is not forthcoming.
2. Mr. Jayant Mehta, Senior Counsel for the defendant states, on the other hand, that compliances with the statutory framework have been made and, in fact, large amounts have been periodically paid to the plaintiff on account of the licence fee. As per them, the plaintiff is insisting upon more than what is required by the statutory framework.
3. Parties to file a three-page brief note of the arguments that they wish to



address along with the list of citations upon which they wish to rely. The same to be filed at least three days before the next date of hearing along with a printed copy handed to the Court Master.

4. List on 07th March, 2024.
5. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 8, 2024/MK/sc