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

+ **CS(COMM) 770/2023**

NOVEX COMMUNICATIONS PRIVATE LIMITED

..... Plaintiff

Through: Mr. C M Lall, Sr. Adv. with
Mr. Jasdeep Singh, Mr. Anirudh
Jamwal & Mr. Yugantar Singh
Chauhan, Advs.

versus

BHARAT HOTELS LIMITED & ANR.

..... Defendants

Through: Mr. Anant Singh, Mr. Srishty Kaul,
Mr. Harish Nadda, Mr. Kumar
Shashank & Mr. Vikalp Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **19.01.2024**

I.A. 1448/2024 (under Order XXXIX Rule 2A CPC)

1. This application has been filed for deliberate breach of order of injunction dated 20th October, 2023 passed whereby this Court granted *ex parte* stay and restrained the respondents and others acting on their behalf from exploiting, playing or publicly performing in any manner the sound recordings of the songs of which the petitioner has the copyright, without the requisite licence(s) from the petitioner. The said order is continued till date. However, on 3rd December, 2023, when a representative of the plaintiff visited the hotel premises of the defendant, they noticed that the injunction order was being violated and songs for which the plaintiff has the copyright, were being played at the hotel.



2. Issue notice.
3. Counsel for defendant accepts notice and shall file a reply within next 2 weeks with a copy to the opposing counsel, who may file rejoinder thereto, if so desired, and place on record before the next date of hearing.
4. It is made clear that the defendant shall take all possible steps to ensure that the order of injunction passed by this Court is followed in letter and spirit, and not violated in any manner whatsoever.
5. On the next date of hearing, it is directed that an officer of the defendant, who is responsible for licensing of music and recordings being played at the hotel premises, shall be present in the Court in order to provide necessary clarification in this regard.
6. List on 7th February, 2024, the date already fixed.
7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 19, 2024/sm/sc