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

+ CS(COMM) 1199/2016 & I.A. 7748/2014

PRAN KUMAR SHARMA Plaintiff
Through: Mr. Aritra Das, Advocate.

versus

DIAMOND COMICS PVT LTD Defendant
Through: Mr. Amarjit Singh and Ms. Shubhi
Sharma, Advocates.

+ CS(COMM) 584/2017

DIAMOND COMICS PVT. LTD. Plaintiff
Through: Mr. Amarjit Singh and Ms. Shubhi
Sharma, Advocates.

versus

SH. PRAN KUMAR SHARMA & ANR Defendants
Through: Mr. Aritra Das, Advocate.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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21.11.2019

1. These cross-suits arise out of claims of copyright in the same work. It is undisputed that Mr. Pran Kumar Sharma [the plaintiff in CS(COMM)1199/2016] is the author of the works in question, and that Diamond Comics Private Limited [the plaintiff in CS(COMM)548/2017, hereinafter referred to as "Diamond"] was a publisher of those works.

2. Diamond claims copyright in the work, on the basis of an assignment by Mr. Sharma. The suit instituted by Diamond was originally

CS(COMM) 1199/2016

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in the District Court, and an order of injunction was passed. That order is under challenge in this Court in FAO 61/2014, and the order of injunction granted by the Trial Court has been stayed by an order dated 03.03.2014.

3. I.A.7748/2014 in CS(COMM)1199/2016 is for an order of injunction restraining Diamond from infringing the copyright claimed by the plaintiff. Counsel for both the parties are agreeable, in principle, to the application being disposed of with a direction upon Diamond to maintain accounts in respect of any revenue generated by exploiting the work in question. They seek one week's time to work out the interim arrangements upon which the application may be disposed of.

4. Pleadings have been completed in both the suits. Both parties will file affidavits of admission/denial of each others' documents within two weeks from today.

5. List before the Joint Registrar on 14.01.2020, for marking of exhibits and before the Court on 05.12.2019.

PRATEEK JALAN, J

NOVEMBER 21, 2019

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