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

+ **CS (COMM) 1115/2018**

POOJA FILM COMPANY

..... Plaintiff

Through: Mr. Ravi Prakash Mehlotra and Mr.
Ankit Agarwal, Advocates for D-1
and 2 (M: 9811197358).

versus

**SUPER CASSETTES INDUSTRIES PVT.
LTD. & ORS.**

..... Defendants

Through: Mr. Amit Sibal, Sr. Advocate with
Mr. Amit Rehan, Ms. Redhima, Mr.
Harsh and Ms. P. Verrela, Advocates
for D-1 (M: 9958528434).

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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13.03.2019

I.A. 12414/2018(Stay)

Vide order dated 14th September, 2018, the prayer for interim relief was considered by this Court. In the said application the following order was passed:

“8. There is no doubt that the Plaintiff claims to have invested in the film and has paid to M/s Kriarj Entertainment Private Limited, a sum of Rs.6.5 crores. However, its basic relief is against M/s Kriarj Entertainment Private Ltd. Since the film is being released on 21st September, 2018, the only relief that can be granted at this stage in favour of the Plaintiff is to direct Super Cassettes Industries Private Limited which is now releasing the film, to file a revenue statement after the release of the film within a period of eight weeks as to the total revenue earned from the



theatrical, satellite distribution and all other forms of exploitation of the film “Batti Gul Meter Chalu”. If beyond the period of eight weeks, further revenues are earned, SCIL shall file accounts of the same on a quarterly basis, for a period of one year. The said accounts statements shall be filed along with an affidavit of a competent senior official, who is duly authorized by the Board of SCIL. Ordered accordingly.

9. *Learned counsel for the Plaintiff prays that credit be given to the Plaintiff in that film which is due to be released. The said relief is not to be granted inasmuch as the litigation between Plaintiff and defendants in respect of the same movie, has been pending before this Court, since 10th July and there is no reason as to why the Plaintiff failed to approach the Court earlier. On the eve of release of a film, a relief sought of this nature cannot be granted, especially when the Plaintiff has had sufficient notice of the disputes that have arisen. Compliance of Order XXXIX Rule 3 be done within a week.”*

The Defendant in this suit i.e., Super Cassettes Industries Pvt. Ltd shall continue to file its accounts on a quarterly basis, in terms of the above order, during the pendency of the present suit. The above order shall continue to operate.

I.A is disposed of in the above terms.

CS(COMM) 1115/2018

Parties agree that this suit can be heard with CS(COMM) 998/2018.

List both the suits on 18th July, 2019.

PRATHIBA M. SINGH, J.

MARCH 13, 2019

MR