

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION

INTERIM APPLICATION (L) NO.5272 OF 2026
IN
COMMERCIAL IP SUIT (L) NO.5184 OF 2026

Novex Communications Private Limited ...Applicant/
Plaintiff

IN THE MATTER BETWEEN :

Novex Communications Private Limited ...Plaintiff

Versus

Serene Aravali Spa and Resort ...Defendant

Mr. Rashmin Khandekar a/w Ms. Nirali Atha i/b Dua Associates for the Applicant/Plaintiff

Mr. Tejesh Dande a/w Ms. Bharat Gadhave and Mr. Pranav N. i/b Mr. Tejesh Dande and Associates for the Defendant

CORAM : SHARMILA U. DESHMUKH, J.

DATE : APRIL 27, 2026

P. C. :

1. Learned counsel appearing for the Defendant points out paragraph 16 of the affidavit-in-reply undertaking to follow due procedure of law before letting the premises to any event organizer and to make sure that all future organizers would strictly obtain all authorizations, licenses and comply with all applicable laws, before conducting any event at Defendant's premises.

2. Mr. Khandekar would submit that the undertaking which is required to be given is that the Defendant will not broadcast the Plaintiff's copyrighted songs and will not permit the premises owned by the Defendant to be used for the purpose of unauthorized broadcasting of the copyrighted songs.
3. Learned counsel appearing for the Defendant is agreeable to the same.
4. The statement made in paragraph 16 of the plaint is to be read as an undertaking given to this Court that the Defendant will not communicate the Plaintiff's copyrighted sound recordings and will not permit its premises for the purpose of communicating the Plaintiff's copyrighted sound recordings without obtaining appropriate license from the Plaintiff.
5. In light of the said undertaking, the Interim Application stands disposed of.

[SHARMILA U. DESHMUKH, J.]