



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

CONTEMPT PETITION (L) NO.15422 OF 2025
IN
COMMERCIAL IP SUIT (L) NO. 34492 OF 2024

Phonographic Performance Ltd. ... Petitioner.
Versus
Seven Leisure Private Limited ... Defendant.

Mr. Amogh Singh a/w. Mr. Asmant Nimbalkar, Anil Kumar Singh and Ms. Shikha D. i/by D.P. Singh for Petitioner.

Coram : Sharmila U. Deshmukh, J.
Date : July 01, 2025

P.C. :

1. Contempt is alleged of the ad-interim order dated 22nd November, 2024 passed by this Court restraining the Respondents from publicly performing or communicating the sound recordings of the songs assigned and authorised to the Plaintiff or allowing their premises or any premises under their control to be used for the said purposes without obtaining the license from the Plaintiff.
2. Mr. Singh, learned counsel appearing for the Applicant submits that the said ad-interim order was communicated to the Defendant by RPAD on 2nd December, 2024. He points out to the track report to demonstrate that the item has delivered. He submits that despite being aware of the ad-interim order, the Defendant has violated the

said order which is evident from the affidavit of its representative who visited the premises of Club 07 on 31st December, 2024 and found the communication of the sound recordings of the Plaintiff to the public. He points out to the relevant pleadings of the affidavit as well as the additional affidavit permitted to be filed by this Court.

3. The ad-interim order of 22nd November, 2024 temporarily restrained the Defendant from communicating the sound recordings, which order was brought to the notice of the Defendant by communication dated 2nd December, 2024. Perusal of the affidavit filed by the representative of the Plaintiff *prima facie* makes it evident that on 31st December, 2024, in the premises of Club 07 which is run by the Defendant, the sound recordings were communicated.

4. However, in order to afford an opportunity to defend the allegation of contempt, issue notice to the Defendant, returnable after period of three weeks.

5. In addition to Court notice, the Applicant is permitted to serve the Defendants by private notice by all permissible modes of service and to file affidavit of service before the next date.

6. Stand over to **22nd July, 2025.**

7. Ad-interim-Interim relief granted earlier, if any, to continue till the next date.

[Sharmila U. Deshmukh, J.]