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

COMM NOTICE OF MOTION NO.356 OF 2019
WITH
COMM CHAMBER SUMMONS NO.492 OF 2019
IN
COM IPR SUIT NO.123 OF 2019

Phonographic Performance Ltd.

...Plaintiff

Versus

Welcom Hotel Rama International (ITC) & Ors. ...Defendants

Amogh Singh, Asmant Nimbalkar and Anil Kumar Singh i/b. D.P.
Singh for the Plaintiff.

CORAM : R.I. CHAGLA J.

DATE : 16TH JULY, 2024.

ORDER :

1. The learned Advocate appearing for the Plaintiff states that Defendant Nos. 1 and 4 have already applied for copyright license from the Applicant / Plaintiff and made payment of license fees for the events. Further, the Defendant No.2 has permanently shut down his business. Accordingly, he has sought leave to withdraw the Suit against Defendant Nos.1, 2 and 4.

2. The Suit is accordingly disposed of as withdrawn against Defendant Nos.1, 2 and 4

3. In so far as Defendant Nos.3 and 5 are concerned, the Suit will survive.

4. Although Mr. Singh has applied for liberty to seek appropriate remedy against Defendant Nos.1 and 4, in the event they fail to procure license from Applicant / Plaintiff, such liberty is not required to be granted as the Plaintiff has always the right to adopt appropriate remedy against Defendant Nos.1 and 4 for fresh cause of action.

[R.I. CHAGLA J.]