

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).14821/2010

(From the judgement and order dated 07/04/2010 in RFA No. 440/2009
of The HIGH COURT OF DELHI AT N. DELHI)

PHONOGRAPHIC PERFORMANCE LTD. Petitioner(s)

VERSUS

RADIO MID-DAY(WEST) INDIA LTD. Respondent(s)

(With prayer for interim relief and office report)

Date: 13/05/2010 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.
Mr. Ashwani K. Mata, Sr. Adv.
Mr. Ameet Dutta, Adv.
Mr. Karan Bharioke, Adv.
Mr. R. Nedumaran, Adv.

For Respondent(s) Mr. Sudhir Chandra, Sr. Adv.
Mr. Tarun Gulati, Adv.
Mr. Neil Hldreth, adv.
Mr. Kishore Kunal, Adv.
Mr. Praveen Kumar, Adv.

UPON hearing counsel the Court made the following
O R D E R

Heard learned counsel for the parties.

Leave granted.

The appeal stands disposed of in terms of the
observations made in the signed order. No order as to
the costs.

(Indu Satija) (Ajay Kr. Jain)
Court Master AR-cum-PS

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4457 OF 2010
(Arising out of SLP(C) No. 14821 of 2010)

Phonographic Performance Ltd. Appellant

Versus

Radio Mid-Day (West) India Ltd. Respondent

O R D E R

Heard learned counsel for the parties.

Leave granted.

This appeal has been filed against the impugned judgment and order dated 07.04.2010 in RFA No. 440/2009 of the High Court Delhi at New Delhi.

Facts in detail have been mentioned in the impugned judgment and order. Hence, we are not repeating the same here.

On the facts of the case, we permit the appellant to file balance sheets of the respondent companies within one week before the Copyright Board.

The Copyright Board shall take the same on record and test veracity of the witnesses in the light of these balance sheets.

We request the Copyright Board to dispose of the case within four months from the date a copy of this order is produced before it.

With the abovesaid observation, the appeal stands disposed of. No order as to the costs.

.....J.
(MARKANDEY KATJU)

.....J.
(A.K. PATNAIK)

NEW DELHI;
MAY 13, 2010