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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL SIDE JURISDICTION**

**O.S. APPEAL NO. 434 OF 2013
IN
NOTICE OF MOTION NO.2138 OF 2013
IN
SUIT(L) NO.967 OF 2013**

Uday Singh Deshraj Rajput

...Appellant

VS

A Film Craft Production (India) Pvt.Ltd.

Rakesh Roshan & Ors.

...Respondents

.....
Mr V.Y.Sanglikar a/w Rekha Mehta for the Appellants.

Mr V.R.Dhond, Sr. Counsel a/w H.N.Thakare & Jyoti Ghorg, Rizvi Naserali i/b
M/s Thakare Jariwala & Associates for the Respondents.

.....

**CORAM : A.P.BHANGALE AND
S.C. GUPTE, JJ.
(VACATION JUDGES)**

OCTOBER 31, 2013

P.C. :

We have heard the submissions advanced on behalf of the parties and also perused the order passed by learned Single Judge in Notice of Motion (L) No. of 2013 in Suit (L) No.967 of 2013. The Appellant is seeking relief in the nature of preventing the Respondents from releasing the film known as Krrish-3 on the ground that script of the said movie is stolen. According to the learned Counsel on behalf of the Appellant, script was submitted to the Film Writers Association, Mumbai and was signed on each page of the script. We also find that detailed order is passed by the learned Single Judge and in para 8 observation is made prima-facie that Plaintiff's approached the Court with a complete bogus case. It is also pointed out to us that Plaintiff's claim that he met Rakesh Roshan / original Defendant No.2 and discussed, however during the

period as mentioned in para 7 of the plaint, Rakesh Roshan was out of India. That being so, when movie is duly censored and certificate of exhibition is already issued, and in such case when wrong is compensatable in terms of money, we are not inclined to prevent release of the movie. Hence, prayer is rejected.

2. S.O. to 11.11.2013.

(A.P.BHANGALE J.)

(S.C.GUPTA J.)