

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.5434-5435 OF 2015  
(Arising out of S.L.P. (C) Nos.19808-19809 of 2015)

Jyoti Kapoor Appellant(s)

Versus

The Bombay Film Company Respondent(s)  
and Others Etc.

WITH

CIVIL APPEAL NOS.5436-5437 OF 2015  
(Arising out of S.L.P. (C) Nos.20064-20065 of 2015)

O R D E R

Leave granted.

Heard Mr. Shyam Divan, learned senior counsel, along with Mr. Arjun Krishnan, learned counsel, for the appellant, Jyoti Kapoor, in Civil Appeal Nos.5434-5435 of 2015, Mr. Amit Sibal, learned senior counsel, along with Mr. Abhishek Malhotra, learned counsel for the appellant, India Stories Media and Entertainment Pvt. Ltd. in Civil Appeal Nos.5436-5437 of 2015, and Mrs. Prathiba M. Singh, learned senior counsel for the respondents in both the appeals.

In course of hearing, the learned counsel for the parties have submitted that they have arrived at a

settlement and, therefore, this Court may record the settlement and dispose of the appeals, which will in ultimate eventuality would amount to disposal of the suits. The terms of the settlement are as follows:

(a) The contesting respondent Nos.1 to 4 agree that they shall show with reasonable prominence in the credits of the film, that is, "*Phir Se*" by stating "Story/Idea by Jyoti Kapoor".

(b) The respondent Nos.1 to 4 shall pay a sum of Rs.25 lacs in full and final settlement to the appellant, Jyoti Kapoor, and no claim shall ever be made in respect of the controversy relating to the film "*Phir Se*" between the appellant and the respondent Nos.1 to 4.

(c) The respondent Nos.1 to 4 represented by Mr. Kunal Kohli, would pay a sum of Rs.35 lacs to India Stories Media and Entertainment Pvt. Ltd, the appellant in Civil Appeal Nos.5436-5437 of 2015.

(d) The respondent, Bombay Film Company Pvt. Ltd. shall deposit a further sum of Rs.10 lacs before the Bombay High Court within four weeks hence. The Registry of the High Court of Bombay shall disburse Rs.25 lacs in favour of Ms. Jyoti Kapoor and Rs.35 lacs in favour of India Stories Media and Entertainment Pvt. Ltd.

(e) The suit for defamation, bearing Original Suit No.2990 of 2014, pending in the City Civil Court at

Dindoshi, Mumbai, shall be deemed to have been withdrawn.

(f) All other suits pending between the parties are, deemed to have been disposed of.

(g) The film "Phir Se" produced by the Bombay Film Company and others, can be released after following the due procedure as required in law.

Be it noted, the settlement is recorded in the presence of Ms. Jyoti Kapoor, the appellant herein and Mr. Kunal Kohli, the respondent No.3.

We appreciate the settlement arrived at between the parties as in the field of art and creativity, a settlement conveys the concept of culture of acceptance and settlement in society.

In view of the aforesaid settlement between the parties, the appeals are disposed of. There shall be no order as to costs.

.....J.  
(Dipak Misra)

.....J.  
(Prafulla C. Pant)

New Delhi;  
July 20, 2015.

ITEM NO.71

COURT NO.5

SECTION IX

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) Nos.19808-19809/2015

(Arising out of impugned final judgment and order dated 02/07/2015 in AN No. 490/2015,02/07/2015 in AN No. 501/2015 passed by the High Court of Bombay)

JYOTI KAPOOR

Petitioner(s)

VERSUS

THE BOMBAY FILM COMPANY & ORS. ETC.

Respondent(s)

(With appln. (s) for exemption from filing c/c of the impugned judgment and interim relief and office report)

WITH S.L.P.(C) Nos.20064-20065/2015

(With appln.(s) for exemption from filing c/c of the impugned judgment and interim relief and office report)

Date: 20/07/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA  
HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.  
Mr. Samar Bansal, Adv.  
Mr. Arjun Krishnan, AOR

Mr. Amit Sibal, Sr. Adv.  
Mr. Abhishek Malhota, Adv.  
Mr. Angad Dugal, Adv.  
Ms. Liz Mathew, AOR

For Respondent(s) Ms. Prathiba M. Singh, Sr. adv.  
Mr. Sudeep Chatterji, Adv.  
Ms. Jaya Mavdelia, Adv.  
Ms. Ravina Rajpal, Adv.  
Mr. Karan Bajaj, Adv.  
Mr. Gaurav Sharma, Adv.  
Ms. Archana Sahadeva, AOR

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

Leave granted.

The appeals are disposed of in terms of the signed  
order.

(Chetan Kumar)  
Court Master

(H.S. Parasher)  
Court Master

(Signed order is placed on the file)