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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CONT.CAS(C) 114/2017 & C.M.No.5093/2017

NOVEX COMMUNICATION PRIVATE LIMITED Petitioner

Through Ms.Shilpi Choudhary with Mr.Bharat
Aggarwal, Advocates.

versus

AMIT JAIN & ORS Respondents

Through

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **08.02.2017**

Present contempt petition has been filed alleging wilful disobedience of the order dated 23rd December, 2016, passed by a Coordinate Bench of this Court in CM (M) No.1380/2016, whereby the respondents were restrained from playing the sound recording of the songs mentioned in schedule annexed as Annexure A-7 to the petitioner's said petition.

Learned counsel for petitioner states that despite the aforesaid order, the respondents unauthorisedly and illegally played the sound recording of the songs on 31st of December, 2016 at a New Year event organised at their hotel without obtaining the requisite licenses from the petitioner.

However, upon perusal of the order dated 23rd December, 2016, this Court is of the opinion that it is in the nature of an *ad interim* injunction order in a suit.

Consequently, as the petitioner has an alternative effective remedy by way of proceedings under Order 39 Rule 2A, CPC, the present contempt petition is disposed of with liberty to the petitioner to file the said alternative proceedings in accordance with law.

MANMOHAN, J

FEBRUARY 08, 2017
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