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

+ CS(COMM) 868/2017 and I.A. Nos.15281/2017 (stay) & 15282/2017
(exemption)

NOVEX COMMUNICATION PRIVATE LIMITED Plaintiff

Through: Mr. Jay Savla, Advocate with Mr.
Jasdeep Singh Dhillon, Advocate.

versus

GOLDEN ROOTS ENTERTAINMENT PVT. LTD.& ORS Defendants

Through

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **21.12.2017**

1. Counsel for the plaintiff has placed on record the reply sent by the defendant no.1 dated 16.12.2017 through its lawyer that defendant no.1 does not intend to violate the copyrights which the plaintiff has. Accordingly, counsel for the plaintiff states that plaintiff for the present does not wish to pursue the suit in view of the reply dated 16.12.2017, however, it is prayed that in case defendant no.1 is found to have in fact infringed the copyrights of the plaintiff, then, plaintiff should be held entitled to pursue appropriate remedies against the defendant no.1.

2. Accordingly, the suit is withdrawn as prayed, however, liberty

is given to the plaintiff in accordance with law to file appropriate proceedings in case defendant no.1 is found to have violated the copyrights of the plaintiff.

3. Since the suit is withdrawn at the stage of admission, plaintiff will be held entitled to refund of 50% of the court fee paid in view of the provision of Section 16-A of the Court-fees Act, 1870 (as applicable to Delhi). Registry will issue the necessary certificate in this regard.

VALMIKI J. MEHTA, J

DECEMBER 21, 2017

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