

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
IN ITS COMMERCIAL DIVISION**

**INTERIM APPLICATION NO. 1 OF 2019  
IN  
COMMERCIAL IP SUIT (L) NO. 1239 OF 2019**

The Indian Performing Right Society Ltd. .... Plaintiff  
vs  
Ushodaya Enterprises Pvt. Ltd. .... Defendant

.....  
Mr. Ravi Kadam, Senior Advocate a/w Mr. Venkatesh Dhond-Senior Advocate, Mr. Himanshu Bagai, Mr. Thomas George, Ms. Tanvi Sinha, Mr. Rohan Kadam and Mr. Manas Gaur i/b Mr. Sandeep V. Marne for the Plaintiff.

Dr. Veerendra Tulzapurkar, Senior Advocate a/w Mr. Abhishek Malhotra and Ms. Sapna Chaurasia i/b Ms Sneha Herwade for the Defendant.

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**CORAM : S.C. GUPTE, J.**

**DATED: DECEMBER 09, 2019**

**P.C. :**

This Interim Application is made in a Commercial IP Suit based on the rights, interests and privileges of the Plaintiff as a performing right society. These rights and privileges are claimed under Section 33 of the Copyright Act.

2. After the matter is heard at some length, it is agreed between the parties that, considering the only issue involved in the matter, which is mostly an issue of law, in particular relating to the

rights to be claimed under Section 33 post its amendment in 2012, the Interim Application itself may be heard finally. The parties have already filed their respective pleadings in the Interim Application. Accordingly, the Interim Application is stood over to 21 January, 2020 at 3.00 p.m. for final hearing.

( S.C. GUPTA, J. )