

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

**NOTICE OF MOTION NO.620 OF 2019  
IN  
COMMERCIAL SUIT NO.290 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
Health View Resort Pvt. Ltd.(Keys Hotel) & Ors... Defendants

**ALONG WITH**

**NOTICE OF MOTION NO.621 OF 2019  
IN  
COMMERCIAL SUIT NO.291 OF 2019  
WITH  
CONTEMPT PETITION NO.116 OF 2019  
WITH  
CONTEMPT PETITION NO.118 OF 2019  
WITH  
CONTEMPT PETITION NO.120 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
Farzi Cafe & Ors. .. Defendants

**ALONG WITH**

**NOTICE OF MOTION NO.645 OF 2019  
IN  
COMMERCIAL SUIT NO.303 OF 2019  
WITH  
CONTEMPT PETITION NO.119 OF 2019  
WITH  
CONTEMPT PETITION NO.114 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
Nocturne & Ors. .. Defendants

**ALONG WITH  
NOTICE OF MOTION NO.651 OF 2019  
IN  
COMMERCIAL SUIT NO.319 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
Renaissance Lucknow & Ors. .. Defendants

**ALONG WITH  
NOTICE OF MOTION NO.652 OF 2019  
IN  
COMMERCIAL SUIT NO.321 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
Fortune Select Regina & Ors. .. Defendants

**ALONG WITH  
NOTICE OF MOTION NO.699 OF 2019  
IN  
COMMERCIAL SUIT NO.345 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
Bar District 6 Pub Brewery and Kitchen Prism  
Infracom Ltd. & Ors. .. Defendants

**ALONG WITH  
NOTICE OF MOTION NO.701 OF 2019  
IN  
COMMERCIAL SUIT NO.347 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
The Razvi & Ors. .. Defendants

**ALONG WITH  
NOTICE OF MOTION NO.702 OF 2019  
IN  
COMMERCIAL SUIT NO.350 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
Pragathi Resorts & Ors. .. Defendants

**ALONG WITH  
NOTICE OF MOTION NO.709 OF 2019  
IN  
COMMERCIAL SUIT NO.343 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
Hotel Radisson Chandigarh & Ors. .. Defendants

**ALONG WITH  
NOTICE OF MOTION NO.725 OF 2019  
IN  
COMMERCIAL SUIT NO.363 OF 2019  
WITH  
CONTEMPT PETITION NO.117 OF 2019  
WITH  
CONTEMPT PETITION NO.74 OF 2019  
WITH  
CONTEMPT PETITION NO.130 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
Bunglow -9 & Ors. .. Defendants

**ALONG WITH  
NOTICE OF MOTION NO.728 OF 2019  
IN  
COMMERCIAL SUIT NO.359 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
Mokesh Lounge & Ors. .. Defendants

**ALONG WITH  
NOTICE OF MOTION NO.731 OF 2019  
IN  
COMMERCIAL SUIT NO.358 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
Iron Hill Brewery & Ors. .. Defendants

**ALONG WITH  
NOTICE OF MOTION NO.1726 OF 2018  
IN  
COMMERCIAL SUIT NO.922 OF 2018  
WITH  
CHAMBER SUMMONS NO.508 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
Hotel Babylon International & Group & Ors. .. Defendants

**ALONG WITH  
NOTICE OF MOTION NO.1727 OF 2018  
IN  
COMMERCIAL SUIT NO.938 OF 2018  
WITH  
CHAMBER SUMMONS NO.494 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
City Organisers Pvt. Ltd. & Ors. .. Defendants

**ALONG WITH  
NOTICE OF MOTION NO.1741 OF 2018  
IN  
COMMERCIAL SUIT NO.966 OF 2018  
WITH  
COMMERCIAL APPEAL NO.210 OF 2018  
WITH  
CHAMBER SUMMONS NO.502 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.  
Nyati Hotels & Resorts Pvt. Ltd. & Ors. .. Defendants

**ALONG WITH  
NOTICE OF MOTION NO.1793 OF 2018  
IN  
COMMERCIAL SUIT NO.1051 OF 2018  
WITH  
CHAMBER SUMMONS NO.498 OF 2019**

Phonographic Performance Ltd. .. Applicant/Plaintiff  
Vs.

Avion Hospitality Pvt. Ltd. & Ors.

.. Defendants

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Mr. Kevic Setalvad, Senior counsel along with Mr. Amogh Singh and Lillian Dass and Hero Ramchandani i/by Mr. D. P. Singh for the Applicant/Plaintiff in all Suits.

Mr. Mani Thevar along with Mr. Chetan Mendadkar i/by M/s. Mahesh Menon & Co for the Defendant No.12 in NMCD/620/2019.

Mr. Anil Kumar Singh for the Defendant Nos.27 and 28 in NMCD/620/2019, Defendant Nos.22 and 23 in NMCD/621/2019, Defendant Nos.15 and 16 in NMCD/645/2019, Defendant Nos.31 and 32 in NMCD/651/2019, Defendant Nos.4 and 5 in NMCD/652/2019, Defendant Nos.18 and 19 in NMCD/699/2019, Defendant Nos.30 and 31 in NMCD/701/2019, Defendant Nos.23 and 24 in NMCD/702/2019, Defendant Nos.81 and 82 in NMCD/709/2019, Defendant Nos.99 and 100 in NMCD/725/2019, Defendant Nos.35 and 36 in NMCD/728/2019, Defendant Nos.16 and 17 in NMCD/731/2019, Mr. Rajiv Narula along with Ms. Ekta Pandav i/by M/s. Jhnagiani Naruala & Associates, Advocate for the Respondent Nos.1 (A) to (E) in CONP/120/2019 and for the Defendant No.47 in NMCD/725/2019 and Respondent Nos. 47 and 47(A) and 47 (B) in CPCD/74/2019.

Mr. Desh Bandhu Jaiswal for the Defendant Nos.1 to 32 in NMCD/651/2019.

Ms. Purvi Joshi i/by M/s. DSK Legal for the Defendant No.3 in NMCD/699/2019.

Mr. Lakshyaved R. Odhekar i/by M/s. Khurana and Khurana for the Defendant Nos.16, 19 and 22 In NMCD/701/2019.

Ms.Aarti Bhide for the Defendants – M/s.Vits Hotel in NMCD/725/2019.

Mr. Samir Pandit along with Mr. Pranay Kamdar i/by M/s. Wadia Ghandy & Co.for the Defandant No.6 in NMCD/725/2019.

Mr. Prashant Goyal for the Defendant No.18 in NMCD/725/2019.

Mr.Rishi Mody along with Ms. Shruti Karkhanis i/by M/s. Singh and Singh/Malhotra & Hegde for the Defendant No.45 in NMCD/725/2019.

Ms. Naina Agrawal i/by M/s. Sahil M Nagamiya for the Defendant No.3 in NMCD/1727/2018.

Huzefa Nasikwala along with Mr. Sujit Mashal i/by M/s. Nasikwalal Law Office for the Defendant No.2 in NMCD/1741/2018 and Defendant No.3 in NMCD/1793/2018.

Mr. Amar Mishra along with Mr. Tejas Kasar i/by M/s. SRM Law Associates for the Defendant No.2 in NMCD/1793/2018.

Ms. Vaibhavi Parchake i/by M/s. Kalpesh Joshi Associates for the Defendant No.5 in NMCD/1793/2015.

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**CORAM : R.D. DHANUKA, J.**  
**DATE : 27<sup>th</sup> November 2019**

**P.C.:**

. Heard learned counsel for the parties who are present in Court.

2. The applicant applies for continuation of ad-interim order passed by this Court on 24<sup>th</sup> December 2018.

3. Considering the ad-interim orders passed by this Court and the fact that no appeal is preferred by any of the defendants against those orders and for the reasons recorded in the ad-interim order dated 24<sup>th</sup> December 2018, I am inclined to continue ad-interim relief for Christmas and new year events of the year 2019 during the pendency of the notices of motion.

4. In so far as the submission of some of the defendants in suits that while restoring notices of motion by an order dated 8<sup>th</sup> January 2019 passed by Shri Justice S.J. Kathawalla, ad-interim order was not continued is concerned, since this Court has proposed to hear these matters together, the ad-interim order granted earlier by this Court to

continue for Christmas and new year events of the year 2019 during the pendency of the notices of motion and those ad-interim reliefs if not restored are restored by this order.

5. In so far as the service of papers and proceedings, if any, is not completed upon any of the defendants in the aforesaid matters, the same shall be completed within one week from today and affidavit of service shall be filed in respect of those defendants who are not served so far.

6. Affidavit in reply shall be filed within four weeks from the date of service of the papers and proceedings with a copy to be served upon the plaintiff's advocate simultaneously. Rejoinder, if any, shall be filed within two weeks thereafter with a copy to be served upon the defendants' advocate simultaneously. It is made clear that no further extension of time would be granted to file affidavit-in-reply or affidavit-in-rejoinder to any of the parties.

7. Place these matters High on board along with Notice of Motion No.1721 of 2018 for 'hearing and final disposal' on 28<sup>th</sup> January 2020.

**R.D. DHANUKA, J.**