

JSN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO.2182 OF 2016
IN
SUIT (L) NO.762 OF 2016

Jharna Hitesh Shah

... Applicant /
Plaintiff

Versus

Rinky Bhajanlal Lulla

...Defendant

Mr.Rohit Gupta, i/b Chirag Chanani for the Plaintiff / Applicant.
Mr. Hiren Kamod, i/b K.c. Jacob for the Defendant.

CORAM: G.S. PATEL, J
DATED: 23rd August 2016

PC:-

1. The Defendant submits to a decree in the following terms, *i.e.* by undertaking that neither she nor any person claiming through her will in any manner use the images, pictures and photographs of the Plaintiff's clients so as to infringe the Plaintiff's copyright in any of those works. These undertakings are accepted as undertakings to the Court. The Plaintiff is agreeable. The suit is decreed in these terms. In view thereof, Mr. Gupta for the Plaintiff does not, after an initial attempt, press his claim for damages.

2. Since the learned Advocate for the Plaintiff does not press his claim for damages, having regard to the status of the parties, as an exceptional case, the Plaintiff will be entitled to a full refund of Court Fees paid on this Suit.
3. The Suit is decreed and disposed in these terms. Drawn up decree dispensed with.
4. In view of this Notice of Motion is infructuous and disposed accordingly.
5. All concerned to act on an authenticated copy of this Order.

(G. S. PATEL, J.)