

JSN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 2772 OF 2016
IN
SUIT (L) NO. 919 OF 2016

Dhwani Jayesh Bhatt	...Plaintiff
<i>Versus</i>	
Lok Prakashan Limited	...Defendant

Mr. Hiren Kamod, i/b Ashwin V. Sakolkar for the Plaintiff.
Mrs. Shweta Sharma, with Mr. Ameet Mehta, i/b Solicis Lex for the Defendant.

CORAM: G.S. PATEL, J
DATED: 4th October 2016

PC:-

1. Ms. Sharma for the Defendant tenders a copy of today's *Gujarat Samachar* which carries an apology on page 2 of THE 'Sahiyar' supplement. An original copy of today's newspaper is taken on record and marked "X" for identification. Ms. Sharma also confirms that the copyright-protected image has been removed from the Internet and Web-based editions of *Gujarat Samachar* and confirms that the entire article that had the photograph has been in fact taken down.

2. Mr. Mayank Rawal, the Court Associate, reads out the apology to Mr. Kamod, who confirms that it is in order and acceptable.
3. Mr. Kamod on instructions states that he will, therefore, not press the Plaintiff's claim for damages.
4. In view of the apology published and deletion of the material from the web-based edition, and on the undertaking of the Defendant not to use the material again, the Suit is allowed to be withdrawn.
5. In the facts and circumstances of the case, the Plaintiff will be entitled to a 100% refund of the Court fees paid on this Suit.
6. In view of this the Notice of Motion does not survive and is disposed of.
7. All concerned to act on an authenticated copy of this Order.

(G. S. PATEL, J.)