

\$~7.

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) No.2400/2006 & IA No.14721/2008 (for exemption).
M/S PHONOGRAPHIC PERFORMANCE LTD Plaintiff
Through: Mr. Pragyan Sharma, Mr. Rohit
Gandhi and Mr. Ravi Kant Pal, Advs.

Versus

PSK CLUB & OTHERS Defendants
Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

%

08.08.2016

1. Though this suit as originally filed was against as many as ten defendants but has been settled or compromised vis-a-vis all the other defendants except defendant no.1 M/s. PSK Club, defendant no.2 M/s. Castle 9, a Unit of Rasin Agro Pvt. Ltd., defendant no.4 M/s. RPM Max and defendant no.7 M/s. Concord Bar Total Westend Inn.
2. The counsel for the plaintiff states that the defendants no.1&2 were proceeded *ex parte* on 3rd December, 2008 and the defendants no.4&7 were proceeded *ex parte* on 21st March, 2007. It is further stated that the plaintiff has led *ex parte* evidence qua the said defendants. However it is fairly conceded that the plaintiff has not lead any evidence as far as the claim for damages is concerned.
3. Having gone through the plaint, oral evidence and documentary evidence I find the plaintiff to have made out a case for grant of permanent injunction. The suit is decreed in favour of the plaintiff and against the aforesaid defendants no.1,2, 4 & 7 (as per the amended memo of parties

dated 10th August, 2015) in terms of prayer paragraph (a) of the plaint, leaving the parties to bear their own costs.

4. Decree sheet be drawn up.

RAJIV SAHAI ENDLAW, J.

AUGUST 08, 2016
'pp'..