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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 4008/2016 & CM APPL. 16924-16925/2016

M/S EVENT AND ENTERTAINMENT MANAGEMENT
ASSOCIATION (EEMA)

Through

..... Petitioner

Mr. Abhishek Malhotra with
Mr. Kumar Sudeep, Advocates

versus

UNION OF INDIA & ORS

Through

..... Respondents

Mr. Anurag Ahluwalia, CGSC with
Mr. Jagdish Swaroop, Dy. Registrar
of Copyrights for R-1/UOI.

Mr. Pragyan Sharma with Mr. Ravi
Kant Pal, Advocates for R-4.

Mr. Himanshu Bagai, Advocate for
R-5.

CORAM:**HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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06.05.2016

Present writ petition has been filed seeking a direction to respondent no. 1 to hold necessary enquiry against respondent nos. 4 and 5. Petitioner also prays for a direction to respondent no. 1 to constitute the Copyright Board at the earliest.

Learned counsel for petitioner states that there is no legal basis for respondent nos. 4 and 5 to demand licence fee from members of petitioner-Association in view of the amended Section 33 of the Copyright Act, 1957

which provides that only a copyright society duly registered in terms of the said amended Section can carry on business of issuing or granting licences in respect of any work in which copyright subsists. He points out that respondent nos. 4 and 5 have already withdrawn their applications for registrations.

A perusal of the paper book reveals that a representation made by the petitioner dated 11th December, 2015 has not been disposed of by the respondent-UOI.

Consequently, present writ petition and applications are disposed of with a direction to respondent no. 1 to decide petitioner's representation dated 11th December, 2015 placed at page no. 85 of the paper book in accordance with law within four weeks.

This Court makes it clear that it has not expressed any opinion on the merits of the controversy and rights and contentions of all parties are left open.

MANMOHAN, J

MAY 06, 2016

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