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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(OS) 2250/2010**

MICROSOFT CORPORATION & ORS Plaintiffs

Through: **Mr. Ravin Galgotia, Advocate.**

versus

ADITYA CHOWDARY GOTTUMUKKALA & ORS Defendants

Through: **None.**

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **18.05.2016**

1. Counsel for the plaintiffs states that in view of the judgment of the Supreme Court in the case of *Indian Performing Rights Society Limited. V. Sanjay Dalia and Anr. (2015) 10 SCC 161* plaintiffs seek to withdraw the suit but liberty as prayed for is granted to file the suit in the court of appropriate territorial jurisdiction at Hyderabad. Interim order passed in this case on 2.11.2010 is continued for a period of six weeks from today to enable the plaintiffs to seek continuation thereof in the court of appropriate territorial jurisdiction.

2. Suit is accordingly allowed to be withdrawn and the suit plaint be returned to the plaintiffs by following the procedure of Order 7 Rule 10 of

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Code of Civil Procedure, 1908 (CPC).

3. I may note that defendants in this suit are *exparte* and therefore no directions can be given for their appearance before the concerned court of territorial jurisdiction and consequences in law will follow on account of the defendants already being *exparte*. Plaintiffs will always be at liberty to file copies of the order sheets in the present suit in the court of appropriate territorial jurisdiction for seeking appropriate orders.

VALMIKI J. MEHTA, J

MAY 18, 2016

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