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

+ CM(M) 1381/2016

M/S NOVEX COMMUNICATIONS PVT LTD..... Petitioner

Through Ms.Shilpi Chowdhary, Mr.Bharat
Aggarwal and Mr.Jaideep S.Dhillon, Advs.

versus

M/S ASHOK HOTEL Respondent

Through Mr.Saran Sori, Mr.Roshan Kumar and
Ms.Rishu Agarwal, Advs.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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03.01.2017

CM No.196/2017

Exemption allowed, subject to all just exceptions.

CM No.195/2017

1. This is an application for review of order dated 23.12.2016. By the said order it has been clarified that the order is passed on prima facie observations and is subject to variation/modification or confirmation by the trial court which is hearing the application under Order 39 Rule 1 and 2 CPC which is fixed for hearing on 23.1.2017. Liberty was granted to the respondents to file appropriate application/reply before the trial court regarding the stay that was passed by this court on 23.12.2016. Hence, it would be appropriate for the applicant/respondent to approach the trial court who will deal with the application/submissions of the parties uninfluenced by any observations made by this court.

2. At this stage, learned counsel for the respondent submits that without prejudice to their rights and contentions in the matter they are willing to pay

the charges to the petitioner for playing the songs which are subject matter of the present suit. Hence, the petitioner shall communicate to the respondent the charges that the respondent has to pay for playing the necessary songs. In case the respondent makes the payment as per the list supplied by the petitioners, the present interim order shall stand vacated qua the said respondent.

3. Application stands disposed of.

JAYANT NATH, J

JANUARY 03, 2017

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