

**IN THE HIGH COURT OF JUDICATURE AT
BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**CHAMBER SUMMONS NO. 6 OF 2019
IN
SUIT NO. 2538 OF 2012**

Entertainment Network India Ltd. ... Plaintiff
V/s
The Indian Performing Right Society Ltd. ... Defendant

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Mr. Nikhil Behl a/w Mr. P Ranjan i/b Halai & Co. for Plaintiff.
Mr. Sandeep Marne for the Defendant.

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**CORAM : B. P. COLABAWALLA, J.
JUNE 19, 2019.**

P.C. :

1. This Chamber Summons has been filed by the original Defendant which is a copyright Society, seeking to amend the Written Statement as per Schedule annexed thereto. What is sought to be brought on record by virtue of this amendment is certain subsequent events regarding promulgation of the Copyright Amendment Act, 2012 and the fact that the said society was de-registered and its subsequent registration.

2. The learned Advocate appearing on behalf of the Plaintiff vehemently opposed this Chamber Summons mainly on the ground that these amendments are wholly unnecessary and irrelevant to the issue raised by the Plaintiff. In these circumstances, he submitted that there was absolutely no necessity for allowing the Defendant to amend the Written Statement.

3. Having heard the Learned Counsel appearing on behalf of the Plaintiff as well as the Defendants, I find that these amendments are necessary to bring certain subsequent events on record. This being the position thereby considering that these are amendments to the written statement and the suit has not yet gone to trial, I am inclined to allow the same.

4. In these circumstances, the Chamber Summons is allowed in terms of prayer clause (a) which reads thus:-

“(a) This Hon'ble Court may be pleased to permit the Defendant to amend the Written Statement as per the annexed schedule.”

The amendment to be carried by the defendant within a period of two weeks from today and the amended copy of the Written

Statement shall be served on the advocates for the Plaintiff within a period of two weeks thereafter. The Chamber Summons is accordingly disposed of. No Order as to costs. Needless to clarify that all contentions of the Plaintiff in relation to these amendments are kept expressly open.

(B.P.COLABAWALLA, J.)