

16.09.2022
Sl.No. 26-27
Ct.No.3
Amalranjan

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

FMA 837 of 2022

M/s. Colorchips New Media (P) Ltd. & Anr.
VS

M/s. Angel Television (P) Ltd. & Anr.
With

CAN/1/2022

With

FMAT 270 of 2022

M/s. Colorchips New Media (P) Ltd. & Anr.
VS

M/s. Angel Television (P) Ltd. & Anr.
With

CAN/2/2022

Mr. Om Narayan Rai
Mr. Prashant Agarwal
Mr. Saroj Tulsian

...for the appellants/petitioners

Mr. Sourodip Banerjee

...for the respondents

Re: CAN/1/2022 (Stay)

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CAN/2/2022 (Stay)

These appeals arise out of a suit alleging
infringement of copyright in cinematographic
films.

In the suit instituted before the learned
court below by the respondent/plaintiff claiming
ownership of the films, the learned court below
had initially passed a limited ex parte ad interim
order of injunction restraining the appellants/
defendants from, in any way showing or
exploiting the films in question. This order was
subsequently extended.

This ex parte order was passed on 22nd April, 2022. Since then, at this point of time, about 5 months have been elapsed. The respondent/plaintiff is enjoying this order for this period of time.

The application for injunction under Order 39 Rule 1 of the Code of Civil Procedure along with the application to vacate the same under Order 39 Rule 4 are ready and pending before the learned court below upon filing of the written objections as submitted.

We are of the opinion that the question of further continuance of the interim order should be considered by the learned court below, in these applications.

Accordingly, we dispose of these appeals and the connected applications after dispensing with all formalities, by directing the learned court below to dispose of the above interim applications as early as possible, preferably within three months of communication of this order.

All points are kept open before the learned court below.

(Biswaroop Chowdhury,J.) (I. P. Mukerji,J.)