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

+ W.P.(C)-IPD 26/2024, CM 86/2024-Exp

ANIL KUMAR GERA

.....Petitioner

Through: Mr. Kunal Khanna, Mr. Kapil K,
Mr. Mahdav Anand and Mr. Krtin
Bhasin, Advs.

versus

REGISTRAR OF COPYRIGHT AND ANRRespondents

Through: Ms. Nidhi Raman, CGSC with Mr.
Zubin Singh, Adv. for R-1
Mr. Shailen Bhatia, Mr. Amit Jain,
Ms. Zeba Tarannum Khan and Ms.
Smithi Venugopal, Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
02.09.2024

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1. By virtue of the present petition, petitioner seeks issuance of a writ of mandamus directing respondent no. 1 to club the petitioner's copyright application bearing Diary no. A-51887/92 with the ongoing proceedings concerning respondent no.2 's copyright application bearing ROC Numbers A-57086/99 (revoked) and A-65448/2003 (revoked).
2. Learned counsel for the petitioner submits that though various ongoing proceedings *inter se* the petitioner and respondent no.2 are already under way before the Registrar of Copyright (ROC), however, the copyright application no. A-51887/92 are not being taken up.
3. Learned counsel for the respondent no.2, appearing on advance notice, submits that the present petition is not maintainable since the



petitioner has to make an appropriate application before the ROC, whereafter the ROC can then take appropriate decision, more so, as the petitioner has not been diligent in the proceedings and is trying to take undue benefit.

4. In view thereof, learned counsel for the petitioner submits that he shall move an appropriate application taking all the grounds as taken by the petitioner before this Court, within a period of one week.

5. Learned counsel for the respondent no.1 submits that the ROC shall endeavour to decide the said application as earliest as possible, preferably, within a period of one month from the receipt of present application.

6. Needless to say, the ROC shall consider the said application and take a decision appropriately as per law.

7. Accordingly, the present petition alongwith the pending application stands disposed of.

SAURABH BANERJEE, J

SEPTEMBER 2, 2024/rr