



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

INTERIM APPLICATION (L) NO. 15729 OF 2023
IN
COMMERCIAL IP SUIT (L) NO. 15713 OF 2023

Lions Gate India LLP ... Applicant/Orig. Plaintiff

Versus

Sunir Khetrapal & Ors. ... Defendants

Mr. Virag Tulzapurkar, Senior Advocate, Mr. Hiren Kamod, Anees Patel, Rahul Dhote, Anushree Rauta, Vidit Desai, Narayani P Chaudhary, Ruddi Bhalekar i/b ANM Global for the Applicant/Plaintiff.

Mr. Rashmin Khandekar, Mr. Nishit Dhruva, Mr. Lavin Hirani, Ms. Khushbu Chhajed, Mr. Shahbaz Malbari i/b MDP & Partners for Defendant No.1.

Mr. Birendra Saraf, Mr. Anand Mohan, Mr. Nishit Dhruva, Mr. Lavin Hirani, Ms. Khushbu Chhajed, Mr. Shahbaz Malbari i/b MDP & Partners for Defendant No.3.

Mr. Venkatesh Dhond, Senior Advocate a/w Sapna Caurasia, Darshit Jain i/b TMT Law Practice for Defendant No.5.

Mr. Ashish Kamat, Senior Counsel a/w Mr. Ameet Naik, Ms. Megha Chandra, Ms. Madhu Gadolia, Mr. Deepak Deshmukh, Mr. Sujoy Mukherjee, Ms. Tarini Kulkarni i/b Anand & Naik for Defendant No.6.

CORAM : R.I. CHAGLA, J.

DATED : 14th JUNE, 2023.

ORDER :

1 Mr. Tulzapurkar, learned Senior Counsel appearing for the Applicant/Plaintiff had moved this matter on ground of urgency in view

of the impugned film titled “I Love You” being released on OTT Platform on 16.06.2023.

2 After hearing Mr. Tulzapurkar and the application for ad-interim relief, in my view it is necessary for the Defendants to place on record their affidavits in reply to the Interim Application as well as any material in support of their case that prima facie there is no breach of copyright/exclusive remake rights of the Plaintiffs in the script of the original film titled “P2”. I am not inclined at this stage to prevent the impugned film titled “I Love You” from releasing. However, the Defendants shall not claim any equity in the event this Court considers it appropriate to grant any relief to the Plaintiff.

3 The Defendants shall file their affidavit in reply to the Interim Application within a period of two weeks from the date of this order i.e. on or before 28.06.2023.

4 The Plaintiff is at liberty to file affidavit in rejoinder within a period of one week thereafter i.e. on or before 05.07.2023.

5 Place the Interim Application for ad-interim relief on 07.07.2023.

(R.I. CHAGLA, J.)