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

+ C.O.(COMM.IPD-CR) 854/2022

M/S KIRORIMAL KASHIRAM

MARKETING AND AGENCIES PVT. LTD.

..... Petitioner

Through: Mr. Pankaj Kumar, Advocate.

versus

SUPPLE TEK INDUSTRIES PVT. LTD. AND ANR. ... Respondents

Through: Mr. Satish Kumar and Mr. Umesh
Mishra, Advocates with Mr. Rajpal
Singh, AR.

CORAM:

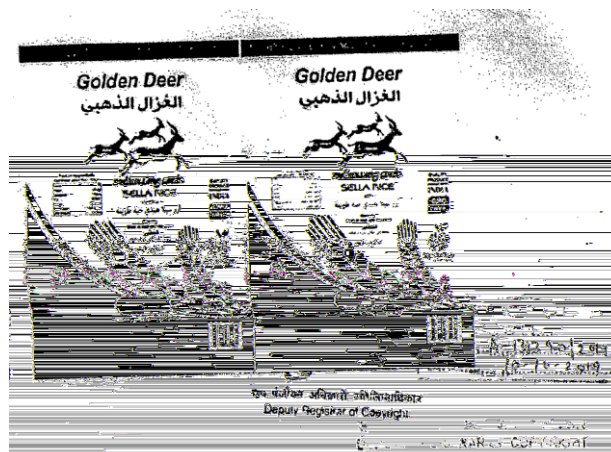
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

18.04.2023

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1. The present rectification petition under Section 50 of the Copyright Act, 1957, assails Copyright Registration No. A-131390/2019 titled as – ‘Supple Tek Industries Pvt. Ltd.’ [hereinafter “*impugned registration*”], which is extracted below: -





2. In a connected suit before the District Judge (Commercial Court-02), South District, Saket, New Delhi (*being* – CS (COMM) 134/2022) *inter se* Petitioner and Respondent No. 1, on a joint application under Order XXIII Rule 3 r/w Section 151 of the Code of Civil Procedure, 1908 [*“CPC”*], a compromise decree was passed. As per the terms of the compromise contained in the said application, Respondent No. 1 herein had agreed to withdraw the impugned registration as averred in para 2(f), which is culled out below:

“That the defendant further undertakes to withdraw its Copyright Registration of the impugned artwork bearing Registration No. A-131390/2019, the application for which was filed vide diary No. 13971/2019-CO/A.”

3. The above settlement and compromise decree is confirmed by Mr. Satish Kumar, counsel and also by Mr. Rajpal Singh, Authorised Representative of Respondent No. 1.

4. In view of the fore-going, since the matter has already been settled and the impugned registration is agreed to be withdrawn, as noted in the decree, on a joint application, by the District Judge (Commercial Court-02), South District, Saket, New Delhi, the present petition is allowed with the following directions:

- (i) Copyright Registration No. A-131390/2019 in the name of ‘Supple Tek Industries Pvt. Ltd.’ stands cancelled.
- (ii) Registrar of Copyrights is directed to reflect the effect of this order in its Register and also on the online platform, within two weeks from today.



- (iii) Copy of the order be supplied to the Registrar of Copyright for compliance through counsel forthwith.
5. With the above directions, present petition is disposed of.

SANJEEV NARULA, J

APRIL 18, 2023

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