

**IN THE COURT OF ADDL. DISTRICT JUDGE (COMMERCIAL COURT), JAMMU.**

**CNR No. JKJM020012752025**

**File No. 178 /2025**

**Date of Institution: 25.02.2025**

**Date of Order: 25.02.2025**

Star India Private Limited  
Star House, Urmi Estate,  
95, Ganpatrao Kadam Marg,  
Lower Parel (W), Mumbai- 400013

**Plaintiff**

Through:- Sh. Pranav Kohli Sr. Advocate alongwith Sh. Yatinder Garg, Areeb

Javed Kawoosa and Priyansh Kohli ,Advocates.

**VERSUS**

M/S Take One JK Media Pvt. Ltd.  
1<sup>st</sup> and 2<sup>nd</sup> Floor, Satyam Resort Building  
Near Marble Trikuta Nagar  
City Jammu, Distt. Jammu J&K – 180011

**(CONTESTING DEFENDANT)**

**In the matter of:-**

SUIT FOR PERMANENT INJUNCTION RESTRAINING INFRINGEMENT OF  
BROADCAST REPRODUCTION RIGHT AND SEEKING DAMAGES,  
RENDITION OF ACCOUNTS OF PROFITS, ETC.

And

**In the matter of:-** Application for interim relief.

**CORAM: Kamlesh Pandit**

**J.O. Code No. JK00078**

**ORDER**

1. The instant application has been filed simultaneously along with the main suit. Application is supported by an affidavit. In this case as per the plaint the plaintiff has filed the captioned suit against the defendant preliminary on the grounds that authorized channels/contents of the plaintiff are being illegally retransmitted and rebroadcast by the defendant. Admittedly the defendant is Multi System Operator (MSO) and had a subscription license agreement with the plaintiff. The defendant right to transmit the plaintiff's contents and the channel was only under the said agreement. The SLA between plaintiff and defendant stood terminated by the plaintiff by virtue of legal notice dated 22.02.2025 coupled with efflux followed with disconnection of signals on 14.02.2025 .

2. However plaintiff has enclosed sufficient cogent evidence which depicts that the defendant is showing on going ICC Champions Trophy 2025 and plaintiff's content/ channels such as Star Utsav Movies etc. on its cable network. This transmission is being further provided to defendant subscriber. The plaintiff has contended that the action of the defendant is violative of section 37 of the Copyright Act. Besides above defendant is also downlinking and transmitting the signal of Foreign channels such ATN, PTV & Sky sports to illegally broadcast the ongoing ICC Champions Trophy.

3. Heard the l'd counsel for the plaintiff/ applicant and also perused the necessary record circumvented in the plaint .This court has no reason to doubt the claim of the plaintiff which has been supported by an affidavit. It appears that plaintiff/applicant has been able to make out a prima facie case in its favour coupled with Balance of convenience. This court at this stage is also convinced that in case no interim order is passed , plaintiff/applicant shall suffer irreparable loss. Consequently Issue notice to the defendant/ non-applicant in the main suit as well as in the application. Meanwhile defendant and its partners and licensees are restrained from retransmitting, rebroadcasting / or communicating the plaintiff content (TV Shows), Plaintiff Channels (Free to Air Channels provided to DD Dish, Foreign Channels not permitted in India ) Sport content inter alia ongoing ICC Champions Trophy through any channel or medium or frequency other than the channels of the plaintiff, to their subscribers, and in any manner thereby infringing the plaintiff's broadcast reproduction rights, till next date of hearing. This order is subject to objections from the other side. Plaintiff/ applicant shall serve the copy of this order upon the defendants/ non-applicant along with copies of the plaint including annexures and file service affidavit accordingly within three days. Put up on 12-03-2025 for further proceedings.

**Announced:**  
25.02.2025

**(Kamlesh Pandit)**  
**Addl. District Judge,**  
**Commercial Court, Jammu.**

Romesh Khajuria