

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

+ CS(OS) 120/2020

ASHUTOSH DUBEY Plaintiff

Through: Plaintiff in person.

versus

NETFLIX, INC. & ORS. Defendants

Through: Mr. Amit Sibal, Senior Advocate with Mr. Saikrishna Rajagopal, Mr. Thomas George, Ms. Tanvi Sinha, Mr. Manas Gaur, Advocates for the defendant Nos. 1 & 2.

Mr. Hiren Kamod, Advocate for defendant Nos. 3, 6 & 7.

Mr. Sandeep Sethi, Senior Advocate with Mr. Piyush Joshi, Advocate for defendant No. 4.

Ms. Priyanka Khimani with Mr. Abhineet Pange, Ms. Chaitrika Patki and Ms. Preeta Panthaki, Advocate for defendant No. 5.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **27.04.2020**

CS(OS) 120/2020

1. Preliminary objection has been raised by learned counsel for the defendants that the plaint has been incorrectly valued and appropriate Court fees has not been paid.

2. Mr. Dubey, the plaintiff, who appears in person, undertakes that he shall pay the requisite *ad valorem* Court fees on the plaint as per the valuation of the Suit for the purposes of jurisdiction mentioned in

paragraph 41 of the plaint.

3. Subject to plaintiff paying the requisite Court fees within a period of four weeks from the lifting of the lockdown, plaint be registered as a Suit.

4. Issue Summons. Notice is accepted by Mr. Thomas George, Advocate for defendant Nos. 1 & 2; Mr. Hiren Kamod, Advocate accepts notice on behalf of defendant Nos.3, 6 & 7; Mr. Piyush Joshi, Advocate accepts notice on behalf of defendant No.4 and Ms. Priyanka Khimani, Advocate accepts notice on behalf of defendant No. 5.

5. Written statement be filed within the statutory period. Replication, if any, within four weeks thereafter.

6. List before the concerned Joint Registrar for completion of pleadings on 07.07.2020.

IA No. 3755/2020 (exemption)

Allowed, subject to all just exceptions.

IA No.3756/2020 (for enlargement of time to pay Court fees)

In view of the order passed in the Suit, application is disposed of.

IA No.3754/2020 (under Order 39 Rule 1 & 2)

1. The hearing was conducted through video conferencing.

2. Arguments heard. Orders reserved.
3. Parties shall file brief note of their submissions by 28.04.2020.
4. The written note be forwarded to the Court Master by email.
5. Copy of the Order be uploaded on the High Court website and be also forwarded to the Counsels through email.

SANJEEV SACHDEVA, J

APRIL 27, 2020

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