

# BHASIN & CO.

*Advocates Supreme Court of India*

10 HAILEY ROAD  
10th FLOOR  
NEW DELHI-110 001 INDIA

Telephones : 9111-23322601, 23315024  
9111-23722453, 23326968  
9111-23329878, 23739647

Fax No. : 9111-23329273, 23357521  
E - Mail : lbhasin@vsnl.com  
lbhasin@gmail.com

**Partners :**  
Lalit Bhasin  
Nina Gupta  
Ratna Dwivedi Dhingra  
Sanjay Gupta  
Bhavna Kohli

**Senior Associates :**  
Gyanendra Mishra  
Mudit Sharma  
Mansi Gupta

**Associates :**  
Ranjan Kumar  
Raieshwari Shukla  
Akanksha  
Minganka Prabhat  
Ravi Gopal  
Praveen Kumar  
Amil Shukla  
Noha Sharma  
Anand Jain  
Kamal Kant Tyagi  
Samir Jha  
Moazzam Khan  
Sheetu Bhat  
Zainul Abidin  
Swigin George

**BOMBAY OFFICE :** 116 Mittal Court 'A' Wing  
Nariman Point  
Bombay-400 021  
Telephones : 9122-22842050, 22042954, 22850133  
Fax : 9122-22874332  
E-Mail : bhaginco@mtnl.net.in

Lalit Bhasin  
Nina Gupta  
Chhaya Shah Gupta  
Prerana C Janvekar  
Govind Harialka  
Kranti Sidruk

Rd-R5/HC/ 1494 /2007  
28<sup>th</sup> December, 2007

NEW DELHI

**F.H.R.A.I.**  
**NEW DELHI**

28 DEC 2007

Mr. Harish Sud  
Secretary General  
Federation of Hotels and Restaurants Association of India,  
B-82, 8<sup>TH</sup> Floor, Himalaya House,  
23, Kasturba Gandhi Marg,  
New Delhi- 110001.

**MOST URGENT**

**BY FAX & BY COURIER**

Sub: Federation of Hotels & Restaurants Association of India & Ors. Vs.  
Union of India & Anr.  
C.M. No. 18229 of 2007 in W.P. (C) No. 452 of 1998 before the Delhi High Court.

Dear Sir,

The captioned matter was listed for hearing on 28<sup>th</sup> December, 2007 before a Division Bench comprising of Hon'ble Mr. Justice Kailash Gambhir and Hon'ble Mr. Justice Vipin Sanghi of the Delhi High Court when Mr. Lalit Bhasin along with ourselves appeared on your behalf.

When the matter came up, submissions at length were made on your behalf. It was submitted by Mr. Lalit Bhasin that the Petitioner has already paid the royalty for holding Special Events in compliance of the order dated 19<sup>th</sup> December, 2005 and 19<sup>th</sup> December, 2007 passed in C.W.P. No. 23787-89 of 2005 and is already in possession of the license issued by Phonographic Performance Ltd. (PPL). However, despite obtaining the aforesaid license, another Society being IPRS has also vide its letter dated 18.12.2007 demanded royalty / fee for holding Banquet Events / Special Events on 31<sup>st</sup> December, 2007 / 1<sup>st</sup> January, 2008 for the same product from the members of FHRAI. It was further submitted that the Issue concerning the vires of Sections 31(1)(a) and (c) and also Section 33 is pending disposal before the Division Bench of this Hon'ble Court and as such, IPRS cannot demand a new license fee.

Contd....2/-