



2ND RGNUL SPORTS AND ENTERTAINMENT LAW NATIONAL MEDIATION COMPETITION
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PRELIM - 2*

BACKGROUND INFORMATION

Jharna Productions Private Limited (“**Jharna**”) is one of leading production houses in India, mostly producing Hindi films but on occasions it has also produced films in other regional languages like Tamil, Telugu, Malayalam and Bengali. In less than a decade Jharna has churned out more than 25 films which crossed the Rs. 100 crore mark at the box office, far more than any other production house in the country. Many in the film industry say that the success of Jharna can be solely credited to Mr. Karna Johri (“**Johri**”), the majority owner and Managing Director of Jharna. Johri is a celebrated director himself and is known as the best business mind in the film industry as he puts his money behind commercial scripts and chooses experienced directors for all the films Jharna produces. Johri has also been known to be a hands-on producer and is frequently seen on the sets of every film Jharna produces.

Rohan Shelly (“**Rohan**”) is a director who is popularly known as the ‘Box Office King of Bollywood’ due to his track record of commercial success with the films he directs. He especially excels in directing comedy films with several of those films breaking box office records. He is also known for being a micromanager on set, who likes to control all activities and has a keen eye for detail. Rohan has a particularly successful partnership with actor Abhay Devon, who has starred in seven films directed by

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Rohan, all of which have entered the famed Rs. 100 crore club of Hindi Cinema. The critics have however always lashed out Rohan's film dubbing them as 'Mindless comedies' and 'Trashy cinema' and rarely giving his films a rating above two stars out of five.

DISPUTE FACTS

One of the scriptwriters working at Jharna had come up with a script about two couples who end up in the middle of a sperm mix up while attempting to have a baby through 'In Vitro Fertilization' (IVF). Johri was simply mesmerized by the script and was even heard laughing uncontrollably while reading several scenes in the script. He immediately wanted to produce the film as he saw the potential of the script resonating with the audience and being a blockbuster at the box office. He decided that Jharna will produce the film and that it will be titled 'Great Scheme'.

Johri wanted 'Great Scheme' to be one of the biggest productions of Bollywood and wanted to shoot the film in London. Johri also managed to get one of Bollywood's leading actors Shandaar Khan ("**Shandaar**") to sign up to play the male lead in the film. However, given the scale of the production and the relative inexperience of Johri in directing comedies a decision was taken by the board of Jharna to get another director to direct the film.

Johri was very keen on getting Rohan to direct 'Great Scheme' given his flair for directing comedies and also his stellar track record at the box office with the films he directs. Thus, a meeting was arranged between Johri and Rohan to discuss the possibility of the latter directing 'Great Scheme'. Rohan was a little skeptical about directing the film given that he had never worked on a Jharna production film and also the fact that Johri had already finalized the casting of Shandaar as the male lead instead of Abhay Devon who he felt was a better fit for the script. However, Johri assured of him of the capabilities of Shandaar and that he would be great in the film and Rohan agreed to direct 'Great Scheme' rather reluctantly.

Before beginning the first schedule of 'Great Scheme' in London, Rohan had organized a script reading with the entire cast of the film at his residence in Mumbai, as he did with all his previous films. To his astonishment Shandaar did not turn up even two hours into the script reading and subsequently sent an email to Rohan saying that he would not be able to make it to the script reading because of a personal commitment, which annoyed Rohan greatly.

On arriving at the first day of shooting of 'Great Scheme' in London, Rohan was surprised to see that Johri had already arrived on set and on enquiring with the spot-boys he was informed that Johri had already held an informal meeting with the director of photography (DoP) and assistant directors that lasted about an hour. Rohan wanted to confront Johri about the same but decided against it because he had to prepare for the first shot of the film.

Several times during the shoot Johri would, without informing Rohan, ask the DoP to cut the shot and would also be directing the actors on their movements and posture while Rohan was shooting. Johri also asked Rohan on multiple occasions to change the camera angles and even decided that an entire sequence shot by Rohan had to be reshot. Rohan was greatly annoyed by the constant interference of Johri in his work, but couldn't do much about it since Jharna was producing the film.

Two weeks into the shoot, Rohan fell ill and was advised by his doctor to take complete bed rest for a week. With only a few days' worth of scenes to shoot to finish the first schedule of 'Great Scheme', Rohan informed Johri and the entire team that he would finish shooting those scenes after he recovers from his illness.

However, after three days Rohan got a phone call from his assistant director asking him details for when he would like to start the next schedule. On telling him that he can't finalise the second schedule without finishing the first one, Rohan was informed that the remaining scenes of the first schedule had already been shot under the direction of Johri. That same evening Shandaar gave an interview to News Republic TV and was quoted saying that "*Rohan Shelly is probably the worst director I've worked*

with who does not know anything about directing a film.” Shandaar also went on to say, “My dog knows more about the basics of film direction than Rohan Shelly” .

Rohan was infuriated with the statement given by Shandaar and immediately contacted his lawyer and asked him to file a defamation case against Shandaar. He also informed Jharna that he was immediately withdrawing from directing the film due to constant interfering by Johri. Given the high stakes of the film, Jharna’s CEO Mr. Kendy Myer invoked the mediation clause in Jharna’s contract with Rohan and the parties agreed to mediate.