

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
Writ Petition (M/S) No. 1940 of 2019

Benaras Media Works Pvt. Ltd.

.....Petitioner

Versus

State of Uttarakhand and another

.....Respondents

Present : Mr. Pawan Mishra, Advocate for the petitioner.
Mr. Yogesh Pandey, Additional Chief Standing Counsel for
the State/respondents.

Writ Petition (M/S) No. 1941 of 2019

Essel Vision Production Limited

.....Petitioner

Versus

State of Uttarakhand and others

.....Respondents

Present : Mr. Aman Rab, Advocate for the petitioner.
Mr. Yogesh Pandey, Additional Chief Standing Counsel for
the State/respondents.

Hon'ble Sudhanshu Dhulia, J.

The petitioner in Writ Petition (M/S) No. 1940 of 2019 is a film production company and the petitioner in Writ Petition (M/S) No. 1941 of 2019 is also in the movie business who has the rights to distribute a film called "Article 15".

2. Both the petitioners are aggrieved by the order dated 28.06.2019 passed by the Sub Divisional Magistrate, Roorkee, District Haridwar by which on a complaint made by the residents of the area and some organisation, the screening of the film called "Article 15" has been stopped in Roorkee Sub Division of District Haridwar. It is a telegraphic order passed without

hearing the petitioners. It also does not assign any valid reason for ~~passing this order~~. The film "Article 15" has admittedly been cleared by the Censor with a U/A certificate.

3. On the face of it, the order dated 28.06.2019 is arbitrary. However, as the learned State Counsel assured to get prompt instructions in the matter, the matter was adjourned for an hour. It has now been taken up again after the State Counsel has received instructions in the matter.


4. Learned Additional Chief Standing Counsel Mr. Yogesh Pandey has informed this Court that he has instructions that the order dated 28.06.2019 has been withdrawn, vide the later order dated 02.07.2019. Copy of order dated 02.07.2019 has also been produced before this Court, which is made a part of record.

5. In view thereof, nothing further needs to be done in this matter as of now. It is simply adjourned to Monday.

6. List these cases on 08.07.2019 in the daily cause list.

7. The petitioners, however, still have some apprehensions, on which the learned State Counsel assures that he shall inform the police authorities and other authorities about the new developments so that no obstruction is created in the screening of the film.

8. Let a certified copy of this order be issued today itself on payment of usual charges.


(Sudhanshu Dhulia, J.)

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dt 08/07/19
Assistant Registrar (Copying)
High Court Of Uttarakhand
Nainital

(7)

IN THE HIGH COURT OF UTTARAKHAND AT
NAINITAL

W.P.M.S / 1941 / 19

Criminal Miscellaneous Writ Petition No. 7070 of 2019
(Under Article 227 of The Constitution of India)

District: Haridwar

Essel Vision Productions Limited, through its authorised signatory Shri Rahul Mehta (Male) Aged about 36 years S/o Sri Ujesh Mehta, having its registered office at 18th Floor, A Wing, Marathon Futurex NM Joshi Marg, Lower Parel Mumbai 400013. Mumbai Mumbai City MH 400013 IN.

Petitioner

Versus

1. State of Uttarakhand through the Secretary, Home, Secretariat, Subhash Road, Dehradun.
2. Sub-Divisional Magistrate, Roorkee, District- Haridwar.
3. District Magistrate, Haridwar.
4. Pandit Ashish Sharma, Advocate, State President, International Hindu Sena, Uttarakhand.

Respondents

5. R.R. Cinemas through its Manager at NH-58, Roorkee, District- Haridwar.

Proforma Respondent.

To,

The Hon'ble Chief Justice and his other companion judges of the aforesaid Court.

The humble petitioners most respectfully sheweth as under: -

1. That this is the first writ petition on behalf of the petitioner for the present cause of action before this Hon'ble Court and no other writ petition has been filed by the petitioner or is pending earlier to this writ petition before this Hon'ble Court for the same cause of action.
2. That the petitioner has not challenged the impugned order before any other authority or Court.



Rahul U. Mehta