

\$~

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

+ W.P.(C) 1468/2016

MG 10 PRODUCTIONS ENTERTAINMENT
PRIVATE LIMITED

..... Petitioner

Through Mr. Ajay Verma with Mr. Lalit
Yadav, Advocates

versus

UNION OF INDIA AND ANR Respondents

Through Ms. Shiva Lakshmi, CGSC with
Mr. Sriram and Mr. Udit Grover,
Advocates**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER**

%

24.02.2016

Present writ petition has been filed seeking a direction to respondents to issue a U certificate to the petitioner's Hindi feature film, namely, 'Bechara Biwi ka Mara'. Petitioner further seeks to direct respondents to withdraw all its recommendations to cut scenes containing the words 'Sala' and 'Sali' in the petitioner's movie.

Learned counsel for petitioner states that action of respondents in issuing U/A certificate to the petitioner is discriminatory inasmuch as the respondent had issued U certificate to a film, namely, 'Sala Khadoos' and consequently, the issuance of U/A certificate to petitioner's movie is violative of Article 14 of the Constitution of India.

Learned counsel for respondents raises preliminary objection to the maintainability of the present writ petition on the ground that petitioner has a remedy by way of an appeal before the Film Certification Appellate Tribunal under Section 5C(d) of the Cinematograph Act, 1952.

Though the appeal appears to be barred by delay, yet this Court, in the peculiar facts of the present case, grants liberty to the petitioner to file an appeal before the Tribunal.

Further, as stated in numerous judgments, the expressions used would have to be seen in the overall context of the film.

However, it is clarified that this Court has not expressed any opinion on the merits of the controversy and the rights and contentions of all parties are left open.

With the aforesaid liberty, present writ petition stands disposed of.

MANMOHAN, J

FEBRUARY 24, 2016

rn