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

+ **W.P. (C) 10425/2017**

% **Date of Decision: 24th November, 2017**

AKHAND RASHTRAWADI PARTY Petitioner
Through: Mr. R.N. Singh with Mr.
Puneesh Grover, Advs.
versus

UNION OF INDIA AND ORS. Respondent
Through: Mr. Vinod Diwakar, CGSC
with Mr. Sanjay Pal and Ms.
Shruti, Advs. for R-1.
Mr. Abhishek Malhotra with
Ms. Deepa Trigunayat,
Advs. for R-2.
Mr. Rishi Agrawala with
Ms. Niyati Kohli and Mr.
Rajesh Kumar, Advs. for
R-3.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT (ORAL)

CM No.42610/2017 (for exemption)

Allowed, subject to all just exceptions.

CM stands disposed of.

W.P. (C) No.10425/2017 & CM No.42609/2017

1. This writ petition makes the following prayer:

*“Issue Writ in nature of Mandamus or Direction or
order to Respondents especially Respondent No.5 to*

constitute a committee consists of members belongs to Respondent No.5 itself, social activist/petitioner along with his counsels, three expert historians from M.L. University, Udaipur Rajasthan, Delhi University, and Banaras Hindu University, U.P. or any other University, headed by one retired Judge of Delhi High Court which shall be appointed by this Hon'ble Court, prior to release of the movie "Padmavati" in order to ensure no distortion with the Indian History in respect of Rani Padmavati of Chittorgarh, Rajasthan so that, sentiments of Citizen of India or Hindus/Rajputs etc. will not be hurt and the committee will submit its report to this Hon'ble Court within 30 days from the date of constitution of the said committee for the purpose."

2. We are informed that the matter of certification for the film "Padmavati" is pending consideration before the Central Board of Film Certification.
3. Learned counsel for the respondents have also placed before us the following orders dated 20th November, 2017 passed by the Supreme Court of India in Writ Petition(s) (Criminal) No.(s).186/2017 titled ***Manohar Lal Sharma vs. Sanjay Leela Bhansali***:

"Heard Mr. Manohar Lal Sharma, Advocate, appearing in person and Mr. Harish N. Salve, learned senior counsel, Mr. Shyam Divan, learned senior counsel being assisted by Mr. Mahesh Agarwal who have entered caveat.

In the course of hearing, we have been apprised that the film in question, i.e., 'Padmavati' has not yet received the Certificate from the Central Board of Film Certification.

In view of the aforesaid, our interference in the writ petition will tantamount to pre-judging the matter which we are not inclined to do. The writ petition is accordingly disposed of.

Needless to say, on going through the pleadings, we think it apposite to strike off what has been stated in paragraph nos.17, 18, 19, 20, 21 & 22 in entirety and what has been struck off by this Court should not be used otherwise. Pleadings in a court are not meant to create any kind of disharmony in the society which believes in the conceptual unity among diversity.”

4. In view of the above, when the matter is pending before the Censor Board for Film Certification, the prayer before us is hopelessly misconceived.

The writ petition as well as pending application are hereby dismissed.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

NOVEMBER 24, 2017/pmc