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

+ W.P.(C) 1024/2018

MARTYR JASWANT SINGH RAWAT THRO. L.R.

VIJAY SINGH RAWAT Petitioner

Through: Mr Samrendra Kumar and Mr Rahul
Jaiswal, Advocates.

versus

SANDHYA ENTERTAINMENT AND ORS. Respondents

Through: Mr Kirtiman Singh, CGSC for UOI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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05.02.2018

CM No.4306/2018

1. Allowed, subject to all just exceptions.

W.P.(C) 1024/2018 & CM No.4305/2018

2. The present petition has been filed on behalf of Martyr Jaswant Singh Rawat. Admittedly, Jaswant Singh Rawat had expired on 17.11.1962 during the Indo-China war. He was also awarded the gallantry award, Mahavir Chakra, posthumously. It is thus clear that the petition on his behalf is not maintainable.

3. The present petition is, in fact, filed by his brother, who claims to have certain Intellectual Property Rights (IPR) on the role of late Jaswant Singh Rawat in the Indo-China War.

4. It is doubtful whether any IPR rights can be claimed by the late petitioner's brother. However, it is not necessary to examine that question

since it is apparent that the frame of the present petition itself is flawed.

5. Vijay Singh Rawat (the brother of late Jaswant Singh Rawat) is at liberty to file a separate petition in accordance with law.

6. The petition and pending application are disposed of with the aforesaid observations.

VIBHU BAKHRU, J

FEBRUARY 05, 2018
MK