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

Judgment pronounced on: 01.03.2018

+ W.P.(C) 8086/2011 & CM No.1741/2014

R. S. MISRA

..... Petitioner

Through : Ms. Deepali Gupta, Adv.

versus

DIRECTOR, PRESS AND PUBLICITY
CENTRE & ORS.

..... Respondents

Through : Mr. Anuj Aggarwal, ASC
with Mr. Kanishk Rana,
Adv.

CORAM:-

HON'BLE MR. JUSTICE RAJIV SHAKDHER

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RAJIV SHAKDHER, J. (ORAL)

1. This writ petition is filed against the communication dated 20.7.2011, addressed by the respondents to the petitioner herein. The petitioner, as it appears from the record, had sought permission to sue the Tanzania Government via its High Commission in India.
2. The impugned communication of the respondents dealt with the petitioner's application made via letters dated 12.7.2011/28.4.2011.
3. A perusal of these letters would show that no case is made out which is sought to be argued before me, which, is that the petitioner has copyright in the book in respect of which he claims royalty and that the provisions of the Copyright Act, 1957 allow

him to sue the state of United Republic of Tanzania, in India even though no cause of action has arisen within India

4. In these circumstances, the writ petition is disposed of with liberty to the petitioner to approach the respondents with appropriate representation setting out relevant grounds, which would make out a tenable case for suing the State of Tanzania in India.

5. As correctly put forth by Mr. Aggarwal, who appears on behalf of the respondents, since no case is made out of the kind which is argued before court today, the impugned communication correctly observed that the provisions of Section 86 of the Code of Civil Procedure, 1908 were not relevant.

6. Needless to say, if a representation is made by the petitioner, within two weeks from receipt of a copy of the order, the same shall be disposed of by the respondents as expeditiously as possible, though, not later than six weeks from the date of receipt of the representation.

MARCH 01, 2018
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RAJIV SHAKDHER, J