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

+ **W.P.(C) 1101/2017 & CM APPL. 8411/2017, 12820/2019**

VASANTKUNJ INFORMER &
SHOPPER & ANR

..... Petitioners

Through Mr Ramji Srinivasan, Senior Advocate
with Mr Nupur Lamba, Ms Archana Sahadeva,
Advocates.

versus

GNCT OF DELHI & ORS

..... Respondents

Through Mr Achal Gupta, Ms Annte Rais,
Advocates for R2,5,8,10,12 & 14.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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05.04.2019

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

- “1. Issue appropriate writ in the nature of mandamus directing the respondents to allow the free circulation and distribution of the monthly publication of the petitioner's "Vasant Kunj Informer and Shopper" amongst residents of all sectors of Vasant Kunj every month, unhindered, without any objection or complaint;
2. Award costs of and incidental to the present petition;”

2. The petitioner carries on the business of publishing a monthly publication known as “Vasant Kunj Informer and Shopper”. The said publication is in the nature of Yellow Pages, and contains various

advertisements. The said publication is distributed free of cost to the various residents of Vasant Kunj area since most of the advertisers are located in the said area. The petitioners' grievance is that they are being prevented from distributing the said publication.

3. Mr Srinivasan, learned Senior Counsel appearing for the petitioner has drawn the attention of this Court to a letter issued by respondent no.14 calling upon the petitioner to pay a sum of ₹3000/- for every distribution of the publication.

4. Merely because the Residents Welfare Associations are charged with certain functions relating to the residential area in question, does not necessary entitle them to levy any tax or fees for permitting any person to enter the area.

5. The learned counsel appearing for respondent nos. 2,5,8,10 & 14 also does not dispute that the petitioner would be entitled to distribute the publication to the residents in the areas in question. He, however, submits that a blanket order permitting the petitioner to distribute the monthly publication, without any objection or complaint ought not to be issued. He submits that there may be instances where complaints may be warranted regarding the conduct of the persons distributing the publication in question, and in such cases the respondents should not be constrained from making an appropriate complaint.

6. Mr Srinivasan further states that there can be no objection to persons distributing the publication in question, as all persons have been duly verified by the police authorities.

7. The contention that a blanket order ought not to be passed is merited.

8. In view of the aforesaid, the present petition is allowed and the

petitioner is permitted to circulate and distribute the monthly publication in question without any hindrance from the respondents. It is further clarified that in the event that there is any complaint regarding the conduct of the persons distributing the said publication, the respondents are not precluded from filing an appropriate complaint with the concerned authorities.

9. If any of the residents communicates to the petitioner that he/she does not want to receive the said publication, then the petitioner shall honour the said request.

10. The pending applications are disposed of. The parties are left to bear their own costs.

VIBHU BAKHRU, J

APRIL 05, 2019

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