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

Date of decision: 26th November, 2019

+ W.P.(C) 9793/2018

SAURABH BINDAL Petitioner

Through Petitioner in person

versus

UNION OF INDIA AND ORS. Respondents

Through Ms. Suparna Srivastava, CGSC
with Mr. Tushar Matur, Adv.
for respondent nos. 1 to 3

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

26.11.2019

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D.N. PATEL, CHIEF JUSTICE (ORAL)

1. This Public Interest Litigation (PIL) has been preferred with the following prayers:

“(i) Pass a writ and/or any other order declaring Section 18(4) of the Semiconductor Integrated Circuit Layout Design Act, 2000 as violative of Article 14, 19(1)(g) and 21 of the Constitution of India and hence unconstitutional and therefore void;

(ii) Pass such further writ and/or orders as this Hon'ble Court may deem fit and proper in the interest of justice and equity.”

2. Petitioner who is appearing in person, is an Advocate, submitted that Section 18(4) of the Semiconductor Integrated Circuit Layout Design Act, 2000 (hereinafter referred to as “the Act”) is violative of Article 14, 19(1)(g) and 21 of the Constitution of India. It is further submitted by the petitioner in person that as on the date of filing of this writ petition, there were two registered proprietors of the Semiconductors, namely, Indian Space Research Organization (ISRO) and Bharat Heavy Electrical Limited (BHEL) and now, there can be others also. It seems, on the apprehension that there will be violation of the rights of aforesaid registered proprietors of Semiconductors, this Public Interest Litigation has been preferred by the petitioner in person.

3. We see no reason to entertain this Public Interest Litigation at the behest of the petitioner in person, mainly for the reason that main contention of this petitioner is to safeguard and protect the interests of the registered proprietors of Semiconductors, which are ISRO, BHEL and such other registered proprietors. These registered proprietors can always approach this Court for violation of their rights. They are not down-trodden entities. On the contrary, the aforesaid registered proprietors of Semiconductors are capable enough to approach this Court to safeguard their rights and interest and, in such eventuality, the provision of the Act can be scrutinized by the court. Hence, we see no reason to entertain this writ petition at the behest of the petitioner in person and the same is hereby dismissed.

CHIEF JUSTICE

C.HARI SHANKAR, J.

NOVEMBER 26, 2019/r. bararia