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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 20th April, 2020

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W.P. (C) 2975/2020 & CM Nos.10322-23/2020

M. M. KASHYAP & ORS.

..... Petitioners

Through: M. Qayam-Ud-Din, Advocate. (M:
9811030056 & 9810989707)

versus

CHIEF MINISTER OF DELHI AND ORS. Respondents

Through: Ms. Maninder Acharya, Id. ASG with
Mr. Jasmeet Singh, Standing Counsel
for R-1 & 2. (M: 9999864964 &
9810163078)

Mr. Sanjay Jain, Sr. Advocate with
Mr. Gautam Narayan, Advocate.

CORAM:

JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J. (Oral)

1. This hearing has been held by way of a video-conference.
2. The Petitioners have filed the present petition seeking prohibition on the social media coverage of the event held in Delhi's Nizamuddin area by the Tablighi Jamaat. According to the Petitioners, the coverage on social media including the Respondent No.1's Twitter handle has a communal colour. The allegation is that the coverage in social media having been communalized, members of the community are being socially ostracized.
3. Id. ASG appearing for the UOI, submits that a similar matter is already pending before the Supreme Court and the scope of that petition covers the prayers sought for in this petition. The maintainability of the present petition is also challenged.

4. Ld. Senior Advocate appearing for the Government of NCT of Delhi objects to the impleadment of the Chief Minister by designation. He further submits that the Chief Minister ought to be deleted from the present petition.

5. This Court has perused the prayers in W.P (C) 10871/2020 titled *Jamiat Ulama I Hind & Anr. v. UOI & Anr.* which is pending before the Supreme Court, as well as the order passed by the Supreme Court on 13th April, 2020. The prayers in the said petition - W.P (C) 10871/2020 are reproduced herein-below:

“(a) Issue a writ in the nature of mandamus, or any other writ, order or direction to the Central Government to stop the dissemination of fake news and take strict action against the sections of the media spreading bigotry and communal hatred in relation to the Nizamuddin Markaz issue; and/or

(b) Issue a writ in the nature of mandamus, or any other writ, order or direction to the Ministry of Information and Broadcasting to identify and take strict action against sections of the media who are communalizing the Nizamuddin Markaz issue; and/or

(c) Issue a writ in the nature of mandamus, or any other writ, order or direction to all sections of the media to strictly comply, in letter and spirit, with the directions of the Hon’ble Supreme Court dated March 31, 2020 in Writ Petition (Civil) No.468/2020; and/or

(d) pass such other/further orders as this Hon’ble Court may deem fit and proper in the facts and circumstances of the present case.”

6. Considering that the Supreme Court is already seized of similar issues, this Court is not inclined to entertain the present petition.

7. At this stage, ld. Counsel for the Petitioners requests for permission to withdraw the present petition with liberty to approach the Supreme Court.

The present petition is accordingly dismissed as withdrawn, with liberty to avail of remedies as may be available, in accordance with law.

PRATHIBA M. SINGH
JUDGE

APRIL 20, 2020
dk/T

