

\$~5

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 3610/2020**

INDIGENOUS PEOPLE OF BIAFRA (IPOB) ..... Petitioner  
Through Mr.Kamlesh Kumar Mishra,  
Mr.Bibhuti Bhushan Mishra and  
Ms.Kriti Kumari, Advs.

versus

THE COMMISSIONER OF POLICE & ORS. .... Respondents  
Through Mr.Anuj Aggarwal, ASC, GNCTD  
with Mr.Ankit Monga and  
Mr.Shikhar Sheel, Advs.for R-1.  
Mr.Vinod Diwakar, CGSC for R-2 to  
R-4.

**CORAM:**  
**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**  
% **19.06.2020**

**This hearing has been held through video conferencing.**

**CM No.12857/2020 (Exemption from filing notarized affidavit and affixing of court fee)**

1. This application has been filed seeking exemption from filing duly notarised affidavit and affixing requisite court fee. Binding the deponent of the affidavit to the contents of the application, the exemption is granted.
2. Court fee shall be deposited online with the concerned authority within one week and physical stamp be filed within 72 hours from the date of resumption of regular functioning of the Court, as mandated in terms of Office Order dated April 04, 2020 issued by this Court.
3. Application is disposed of.

**CM No.12856/2020 (Exemption)**

Allowed, subject to all just exceptions.

**W.P.(C) 3610/2020 & CM No.12855/2020**

1. This petition has been filed by the petitioner *inter-alia* praying for the following relief:

*“1. Pass an order directing the respondents to allow the petitioner to Hold Peace Protest and Demonstration under the Banner of IPOB and #Black Lives Matters, #Black lives matters even in india at Uttar Pradesh Bhawan Building No.4, Sardar Patel Marg, Chanakya Puri, Delhi -110021, Near Maurya Sheraton Hotel on 23<sup>rd</sup> of June 2020 or any date immediately thereafter against the illegal detention of the Two members of the IPOB namely Mr.Chima Paul Ugochukwu and Mr. Chinasa Victor Obioha illegally Detained at Surajpur police lines, 49 battalion , Greater Noida, Uttar Pradesh, Since 24th September 2019.*

*2. Pass an order Directing the Respondent No. 2 to Allow the Peaceful Protest and Demonstration at Uttar Pradesh Bhawan on the 23<sup>rd</sup> of June 2020 and make appropriate arrangement for the Participants of the protest and or in the alternative immediately Mr.Chima Paul Ugochukwu and Mr. Chinasa Victor Obioha illegally Detained at Surajpur police lines, 49 battalion , Greater Noida, Uttar Pradesh, Since 24th September 2019 further more to Allow the their Advocates and immediate relatives to meet these persons without Hindrance.*

*3. Pass an order directing the respondent Uttar Pradesh Government to Produce before this Hon’ble Court all documents related to the illegal detention of the Two members of the IPOB namely Mr.Chima Paul Ugochukwu and Mr. Chinasa Victor Obioha illegally Detained at Surajpur police lines, 49 battalion , Greater Noida, Uttar Pradesh, Since 24th September 2019 as also the legal sanction commanding their detention for a period of more*

*than 8 Months Now.*

*4. Pass an order Directing the respondent Delhi Police as well as MHA to take appropriate Decision allowing the Peaceful protest on the representation of intimation regarding the Peaceful protest dated 16.06.2020 at Annexure P..... of the present petition and intimate the petitioners accordingly.”*

2. As far as the prayer nos.2 and 3 are concerned, as the persons whose detention is being put in question by the petitioner are stated to be in the custody of the police at Greater Noida, State of Uttar Pradesh, this Court does not have the territorial jurisdiction to entertain such prayers. The petitioner shall be at liberty to seek such remedy as may be available to the petitioner in the eyes of law before the appropriate Court.

3. As far as the prayer nos.1 and 4 are concerned, the respondent no.1 is directed to consider the contents of the present petition as a representation of the petitioner for seeking permission to hold the protest. A decision thereon shall be communicated to the petitioner as also to its counsel within a period of three days.

4. Needless to say that if the petitioner is aggrieved of the decision of the respondent no.1, it shall always be open to the petitioner to challenge the same in accordance with the law. It is, however, made clear that this court has not expressed any opinion on the averments made in the petition.

5. The petition is disposed of in the above terms.

**NAVIN CHAWLA, J**

**JUNE 19, 2020/ARYA**