

04-01-2022
ct no. 13
Sl. 23
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**WPA 4654 of 2020
(Through Video Conference)**

Page 3 Entertainment India Pvt. Ltd. & Anr.

-Versus-

Union of India & Ors.

**Mr. Mritunjoy Chatterjee,
Mr. Rajarshi Dutta,
Mr. Jibantaraj Dan Roy**

....for the petitioners

**Mr. Phiroze Edulji,
Mr. A. Konkohi**

...for the UOI

The writ petitioners are aggrieved by order dated February 5, 2020 passed by the Ministry of Information & Broadcasting, revoking and withdrawing licence for running a Non-News and Current Affairs TV Channel called "Power of God TV".

The principal grounds for such revocation was non-payment of annual permission fee. The outstanding as on February 5, 2020 was Rs. 35 lakhs. The period for which the dues are outstanding is from 10.01.2019 to 09.01.2020 as on the date of the order.

Counsel for the petitioners submits that his clients are willing to put in the entire outstanding fees and seek a direction on the respondents to reconsider the order dated February 5, 2020.

Mr. Phiroze Edulji, counsel for the Union submits that the petitioners may not be able to broadcast notwithstanding payment of any fees, because their DOS licence has expired.

This Court is of the view that since the permission to the petitioners was revoked only for non-payment of fees, the petitioners should get an opportunity to pay the same.

In view of the above, subject to the writ petitioners paying all outstanding fees, dues, charges and penalties, as on date, the respondents, shall reconsider the request for withdrawing the order of revocation in accordance with the applicable rules and law.

The said licence and/or permission if any of the Ministry of Information & Broadcasting shall be effective only upon the petitioners' having a valid DOS licence. The petitioners shall make payment of all the outstanding fees within a period of 10 days from date. The respondents shall within a period of 45 days thereafter pass appropriate orders.

Needless to mention that the aforesaid time frame would be subject to restrictions for the 'omicron' pandemic or for any other Vis Major event.

With the aforesaid observations, the writ petition is disposed of.

Since the respondents have not used any affidavit, the allegations made in the writ application shall not deem to have been admitted by them.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)