

S.R.JOSHI

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
APPELLATE SIDE CIVIL JURISDICTION  
WRIT PETITION NO. 5391 OF 2024

Umesh Babubhai Patel

... Petitioner

*Versus*

Media Certification and Monitoring  
Committee Cell, Daman & Others

... Respondents

Mr. Manoj Badgujar, for the Petitioner.

Mr. Y. R. Mishra, for Respondent No.1 - UOI.

Mr. Hiten S. Venegaonkar, for Respondent No.2.

Mr. Pradeep Rajagopal with Ms. Drishit Shah i/b. Rekha Rajagopal, for Respondent No.5.

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signed by  
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JOSHI  
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CORAM: G. S. KULKARNI &  
FIRDOSH P. POONIWALLA, JJ.  
DATED: 8<sup>th</sup> APRIL, 2024

P.C.

Not on board. Mentioned. Upon mentioning, taken on  
production board.

This Petition under Article 226 of the Constitution of India, is  
praying for the following reliefs:-

*“(a) This Hon’ble Court be pleased to quash and set aside  
order dated 04.04.2024 passed by the Respondent No.1;*

*“(b) Pending the hearing and final disposal of the present  
Petition, to grant stay the effect, operation and/or  
implementation of order dated 04.04.2024 passed by the  
Respondent No.1;*

*“(c) Ad-interim relief be granted in terms of prayer clause  
(a) & (b) herein above in favour of the Petitioner;*

*“(d) Any other order in the interested justice considering  
particular facts and circumstances of the case may be grants.”*

2           The primary challenge as urged on behalf of the Petitioner is that the impugned Order dated 4<sup>th</sup> April, 2024 has been passed by Respondent No.1 -Nodal Officer, MCMC, Daman, without granting an opportunity of hearing to the Petitioner, and also a complaint, if any, received by the said authority in regard to the Petitioner's pamphlet, which was already certified by an Order dated 23<sup>rd</sup> March, 2024, was not supplied to the Petitioner. It is his contention that there is no power in the said Officer to review the Order which was passed granting certification of the pamphlets in different languages. Thus, that Order is passed without jurisdiction and in breach of the principles of natural justice. Hence, the present Petition has been filed.

3           Mr. Venegaokar, learned Counsel for Respondent No.2, on instructions makes a statement that the impugned order shall be withdrawn with liberty to the authority to proceed in accordance with law. We accept the statement.

4           In view of the stand taken on behalf of Respondent No.1, further adjudications of the Petition is not called for. It is, therefore, accepted that the impugned order stands withdrawn,

5           The Petitioner is accordingly permitted to act on the certified pamphlets.

6           Writ Petition is disposed of. No costs.

7           All contentions of the parties on any future proceedings are expressly kept open.

**(FIRDOSH P. POONIWALLA, J.)**

**(G. S. KULKARNI, J.)**