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

+ **W.P.(C) 12698/2018 & CM APPL. 49358/2018**

TAXATION PUBLISHERS (P) LTD.Petitioner
Through: **Mr. Mayank Wadhwa, Advocate**

versus

UNION OF INDIARespondent
Through: **Mr. Anil Soni, CGSC with**
Mr. Devvrat Yadav, Advocate for
UOI

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

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23.08.2024

1. The present petition is filed under Article 226 of the Constitution for issuance of directions to the respondent to produce relevant circular/notice/policy whereby the respondent has taken a decision not to dispatch the issues of the journal which have continuous page numbering and to declare the action of the respondent in refusing to accept the dispatch of the issues/journal of the petitioner as illegal, unjust and arbitrary. The petitioner has made the following prayers:-

- a. Declare the action of the respondent in refusing to accept the dispatch of the issues/journal of the petitioner as illegal, unjust and arbitrary.**
- b. Direct the respondent to produce relevant circular/notice/policy wherein the respondent has taken a decision not to dispatch the issues of the journal which have continuous page numbering.**
- c. Direct the respondent to compensate the petitioner for the losses/damages suffered by them on account of respondent's illegal unjust and arbitrary refusal to accept journal to be dispatched.**



d. Direct the respondent to accept and immediately dispatch the pending issues printed by the petitioner in their current format and numbering without charging/levying any penalties through its RMS service.

e. Pass any other order(s) as this Hon'ble Court may deem fit in the interest of justice.

2. The petitioner is stated to be engaged in the business of publishing law journals under the name of 'Judgments Today', which is popularly known as 'JT', which publishes reported judgments of the Supreme Court. The journal after publication is required to be dispatched to its subscribers weekly and the said journal is being published since 1986 with widespread distribution. The petitioner has been using the respondent's RMS service for dispatching the journal to the subscribers since 1986 and the tickets on each issue is to be affixed on the basis of its weight. The petitioner is also registered with the Registrar of Newspaper vide R. No. 45910/86. However, the respondent has refused to accept the legal journal of the petitioner for circulation through its RMS service. The petitioner being aggrieved, filed the present petition.

3. The respondent filed the counter affidavit wherein it is stated that the Postal Directorate had issued consolidated rulings on registered newspapers superseding all previous rulings vide memo no. 22-17/2008-PO dated 05.05.2008, which was further modified vide another memo no. 22-04/2014-PO dated 16.01.2015 whereby the provisions relating to the pagination were amended.

4. During the course of arguments, it is stated on behalf of the Central Government Standing Counsel for the respondent that for proper dispatch by the respondent, the petitioner is required to mention the number of pages of



the journal either on the front or the last page of the journal without which the journal cannot be dispatched through RMS service.

5. The counsel for the petitioner, on instructions, stated that the petitioner shall mention the total number of pages on each journal which is to be published by the petitioner from now onward.

6. The present petition along with pending application, stands disposed of.

DR. SUDHIR KUMAR JAIN, J

AUGUST 23, 2024

N/AK