

IN THE HIGH COURT OF DELHI AT NEW DELHI
(EXTRAORDINARY ORIGINAL CIVIL JURISDICTION)
WRIT PETITION (CIVIL) NO. OF 2017

IN THE MATTER OF:

JHARANA JHAVERI

...PETITIONER

VERSUS

UNION OF INDIA & ANR.

...RESPONDENTS

TO,

THE HON'BLE CHIEF JUSTICE &

HIS COMPANION JUSTICES OF THIS HON'BLE COURT

HUMBLE PETITION OF THE PETITIONER ABOVE-NAMED

MOST RESPECTFULLY SHOWETH:

1. That the petitioner has preferred the instant writ petition under article 226 of the Constitution of India seeking directions in the nature of writ of mandamus directing respondent no.2 to issue in favour of the petitioner a certificate of exhibition to a documentary film "Charlie and the Coca Cola Company", without the same being subjected to any cuts/conditions in the film as the refusal to grant certificate of exhibition to the film is irrational, arbitrary, and thus, violative of Article 14 and Article 19(1)(a) of the Constitution.
2. The facts emanating out of present case are as follows:-
 - i) In 2016, the petitioner who is an independent film maker produced a documentary titled "Charlie and the Coca Cola Company" (hereinafter referred to as the film), highlighting the miserable conditions and widespread protests by farmers arising from social issue of severe water abuse by the aerated drinks companies including the Coca Cola company, which has led to acute depletion of ground water thereby turning lands in the vicinity completely barren with no water to till their fields, consequently forcing many farmers to sell off their lands rendering them landless. The film also showcased the plight of

workers employed by these companies including the Coca Cola company, who are compelled to work in unsafe conditions without any protection on abysmally low wages.

- ii) Thereafter the petitioner filed an application dt. 22.04.2016 before Respondent no.2, being Central Board of Film Certification, Mumbai for a certificate under the Cinematograph Act, 1952 seeking permission to exhibit the said film. For the said purpose, the petitioner submitted 2 sets of DVDs of the film along with entire English transcript of the said film with the office of the Respondent no.2.

True copy of the English transcript of the film is annexed herewith as **ANNEXURE P1**.

- iii) Subsequently, the Respondent no.2 vide order dt. 31.08.2016 held that after viewing of film by the Examining Committee, the Board has come to the conclusion that the certificate cannot be issued for exhibition of the said film as the film more than education, is misleading and politically motivated.

True copy of the order dt. 31.08.2016 passed by Respondent no.2 is annexed herewith as **ANNEXURE P2**.

- iv) Thereafter on 27.10.2016, the petitioner filed an appeal under Section 5C of the Cinematograph Act, 1952 against the aforesaid order dt. 31.08.2016 passed by the Respondent no.2 before the Film Certification Appellate Tribunal, New Delhi.

True copy of the appeal dt. 27.10.2016 filed before Film Certification Appellate Tribunal, New Delhi is annexed herewith as **ANNEXURE P3**.

- v) That the Film Certification Appellate Tribunal, New Delhi while upholding the order dt. 31.08.2016 passed by the Respondent no.2 was pleased to dismiss the appeal preferred by the petitioner vide order dt. 08.03.2017 holding inter alia that the documentary has been made with a sole objective of shutting down the Coca Cola plant. The Ld. Tribunal further held that the documentary being replete with per se defamatory imputations as listed in the Annexures amount to a clear violation of the guidelines which cannot be permitted or countenanced.

Considering the large number of defamatory imputations which run through the entire documentary, the film does not deserve certification for public exhibition.

True copy of the order dt. 08.03.2017 passed by the Film Certification Appellate Tribunal, New Delhi is annexed herewith as **ANNEXURE P4**.

- vi) Thus, aggrieved by the aforesaid order dt. 31.08.2016 passed by the Respondent no.2 and order dt. 08.03.2017 passed by the Film Certification Appellate Tribunal, New Delhi, the petitioner has preferred the present petition.
3. That the petitioner is seeking the relief as prayed for in the present petition on the following, amongst other grounds:

GROUND

- A. Because the Ld. Tribunal erred in holding that the documentary is per se replete with defamatory imputations listed in the annexures which amounts to clear violation of guidelines as it is patently clear from the contents of the said film that it nowhere even remotely intends to or has attempted to defame any company, much less the Coca Cola company. The documentary from beginning to the end has simply shown the nationwide protests by farmers against aerated drinks companies including the Coca Cola company with respect to severe abuse of water and interviews taken in this regard, of the local villagers, farmers and those employed with the Coca Cola company. There is not even a single scene in the said film which can be attributed to the same being politically motivated.
- B. Because it perhaps escaped notice of the Ld. Tribunal that the petitioner has nowhere fabricated any visuals or individual accounts given by persons to defame the company, nor has the petitioner anywhere been alleged to do so by the Respondent no.2. The movie only highlights the miserable conditions which compelled the farmers to undertake widespread protests arising out of social issue of severe water abuse by the aerated drinks companies including the Coca Cola company, which has led to

acute depletion of ground water thereby turning lands in the vicinity completely barren with no water to till their fields, consequently forcing many farmers to sell off their lands rendering them landless. Further, the film showcases the plight of workers employed by these companies, who are compelled to work in unsafe conditions without any protection, on abysmally low wages.

- C. Because the Ld. Tribunal failed to appreciate that almost all the imputations in the annexures appended to the impugned order and alleged to be defamatory, without evidence and instigating law are the slogans and statements of protestors and local villagers & workers which have been collated into a documentary to produce the film in question. A brief synopsis of the film is mentioned hereinbelow to substantiate the same:
- (i). The film begins with reporting of protests in 2004 demanding shutting down of aerated drinks factories. It is clearly stated by one of the protestors in reply to a question that these protests are not against Coca Cola company but all other such companies. He states that, “...*These companies are stealing our water...not just against one company.*”
 - (ii). Next scene is of a Coca Cola plant visited by the protagonist and producer situated in Mehndigunj, Uttar Pradesh where they ask few questions from the Regional External Affairs Manager followed by a Coca Cola TV commercial.
 - (iii). This is followed by interviews with local villagers living in the vicinity of the said Coca Cola plant who states that ground water level has gone below drastically as against the claims made by the Coca Cola company in their press conference.
 - (iv). Thereafter, another Coca Cola TV commercial pops up on how anyone can visit the company plant to check that the drink is safe for consumption which is followed by a scene where the local villagers along with producer of the film are not allowed to enter the factory premises of Coca Cola company.

- (v). This is followed by more scenes of protests by people against aerated drinks companies for abusing water, land issues, excessive use of minerals like Lead, Cadmium and Chromium in these drinks as per Central Pollution Control Board Report 2003 which led to closing down a Coca Cola plant at Plachimada, Kerala and speeches of protesters.
- (vi). This is followed by a scene where a worker in the Coca Cola factory is interviewed and he states that he is paid Rs. 68/- for working 8 hours a day and not paid anything for overtime; he adds that employees' issues are not addressed, they are not allowed to form into unions and speaks about other related issues.
- (vii). Thereafter in the second DVD, another protest at Daban Coca Cola plant in Ballia, Uttar Pradesh is shown followed by an interview with a local school teacher and a local resident who states that, "*...once a tank inside the factory got burst and all water leaked into the river...fish and animals in the river died...skin of dead fish peeled off due to toxins...called journalists...*"
- (viii). This is followed by an interview with another local resident boy who stated that once a broken tooth of his friend was put in Pepsi bottle and the tooth dissolved the next day.
- (ix). Thereafter an Ex-Minister in the Uttar Pradesh government is interviewed on water abuse legislation issues followed by the scene of a place where old bottles are being cleansed followed by a scene of other similar protests.
- (x). The last scene is shot at *Ganga* river at Varanasi, Uttar Pradesh where a local boatman is telling the protagonist and the producer of the film about how dead bodies are immersed in the river and other issues related to pollution of *Ganga* river.
- (xi). The film ends with a message - in solidarity with billions fighting water wars.

- D. Because the Ld. Tribunal failed to appreciate that it is not the stand of the Respondent no.2 nor is it in fact correct, that the persons interviewed in the said film are fictional actors. They are individuals who are affected by the issues of land and water abuse by bottling companies, most of them being local villagers and residents living in the vicinity of these bottling plants. It is evident from the aforesaid synopsis that the producer has chosen Coca Cola company, only as a subject or a case-study, to showcase the social issues related to the business run by the bottled water selling companies.
- E. Because the Ld. Tribunal failed to appreciate that one or two remarks here and there made specifically with respect to the Coca Cola company to extract information from those who are being interviewed does not amount to defamation, by any stretch of imagination and, if so, it could have been easily subjected to cuts/modifications/disclaimers by the Respondent no.2 rather than banning the exhibition of whole film altogether.
- F. Because the petitioner has incurred a sum of around Rs. 10 crores for production of the said film and it becomes patently clear that the film attempts to showcase the problems of extreme water abuse and dirt & pollution of our rivers for which the Union government is spending billions on various projects and schemes. The petitioner by the producing the film in question, is in fact, furthering the very cause of its' fight against water and river pollution and the Respondent no.2 ought to have supported and encouraged the petitioner rather than refusing the certificate of exhibition to her film.
- G. Because the Ld. Tribunal failed to notice that the Respondent no.2 by refusing to issue the certificate of exhibition has indicated that the issues of water abuse and pollution of rivers, land and livelihood of the areas adjoining these bottled water plants are imaginary and do not exist in reality.

- H. Because the Article 19(1)(a) of the Constitution takes within its import the right of a citizen to produce and make a film so also to exhibit the same. It includes a further guarantee to exhibit a film for viewing by public, subject, of course to the reasonable restrictions which the State can justifiably impose under Article 19(2).
- I. Because it was held by a 5-Judges Constitution Bench of the Hon'ble Supreme Court in the case of *K.A. Abbas v. Union of India 1970 (2) SCC 780* in Paras 49,50 that, “...our standards must be so framed that we are not reduced to a level where the protection of the least capable and the most depraved amongst us determines what the morally healthy cannot view or read...The standards that we set for our censors must make a substantial allowance in favour of freedom thus leaving a vast area of creative art to interpret life and society with some of its foibles along with what is good...we may view a documentary on the erotic tableaux from our ancient temples with equanimity or read *Kamasutra* but a documentary from them as a practical sexual guide would be abhorrent...”
- J. Because the Ld. Tribunal failed to notice that denying the petitioner certificate for public exhibition, the Respondent no.2 has clearly violated her fundamental right to freedom of speech guaranteed by our Constitution under Article 19(1)(a), in the garb of alleging defamation to a company.
- K. Because the Ld. Tribunal failed to appreciate that the Respondent no.2 has alleged defamatory remarks made against a company by producing the said film, only to bring it within the ambit of Article 19(2) qua defamation and the guidelines emanating therefrom.
- L. Because it has been held in Para 19 by Delhi High Court in the case of *Prakash Jha Productions v. Bata India Ltd. & Ors. MANU/DE/5509/2012* while dealing with a film which contained a song which was alleged to be defamatory to a well-known company *Bata*, that the movie raises a burning social issue which

we find is a matter of public debate on the streets and the press. The struggle between the 'haves' and 'have nots'.

- M. The Hon'ble Court in *Prakash Jha case (supra)* upheld the argument taken by the film production company that by four business houses named in the song, the understanding of the song would not be with reference to a particular house but to ***a class which propagates the ideology of industrialization. And brings out a call to those who propagate the ideology of socialism to unite and fight.*** (emphasis supplied)
- N. Because in the present case, the references and reports of protests are also with respect to a class of companies running the business of aerated drinks including the Coca Cola company. The underlying tone of these protests and references made thereto are not unfounded but goes to the root of deepening crisis being faced by the farmers across the nation of water shortage and barren lands, amongst other social issues.
- O. Because the fact that one particular company has not been targeted is substantiated from the answer given by the protagonist in the film in question to the producer that bottled water business running companies - Coca Cola selling Dassani; Pepsi selling Aquafina; high price water *FIJI, wasp*; to assert that how billions of dollars are spent on bottled water in a year.
- P. Because it has been expressly held by the Hon'ble Supreme Court in *Bobby Art International & Ors. v. Om Pal Singh Hoon & Ors. (1996) 4 SCC 1* that the guidelines issued under Section 5B of the Cinematograph Act are broad standards. They cannot be read as one would read a statute. Where the theme is of social relevance, it must be allowed to prevail. The aforesaid judgement was referred to by this Hon'ble Court in the case of *Phantom Films P Ltd. & Ors. v. The Central Board of Film Certification & Ors. MANU/MH/1059/2016* dealing with question of grant of certificate of exhibition to the movie *Udta Punjab* where this Honb'le Court also held in **Para 45** that the State and particularly, the Central Board of Film Certification

cannot, in the garb of alleged public interest of public taste, try to mould, shape and control public opinion.

- Q. Because it has been held by the Hon'ble Supreme Court in the landmark judgment of *Indian Express Newspapers v. Union of India* that in a democratic society people have a right to be informed of developments that take place in the democratic process.
- R. Because in the case of *F.A. Picture International v. Central Board of Film Certification & Anr. MANU/MH/0767/2004*, this Hon'ble Court while allowing the writ petition to issue Censor certificate for the film *Chand Bujh Gaya*, referred to the judgement of the Apex Court in *S. Rangarajan v. P. Jagjivan Ram (1989) 2 SCR 204*, in Para 15 where it held that restrictions on freedom of expression under Article 19(2) must be justified on the anvil of necessity and not in the quicksand of convenience of expediency.
- S. Because the Ld. Tribunal failed to appreciate that merely because the film is critical of a particular business essentially because of its impact on society, is no reason to impute that the petitioner intends to bring disrepute to the company running that business or defame it.
- T. That the Respondent no.2 to 2 are 'State' within the meaning of Article 12 of the Constitution of India, while the Respondent No. 1 & 2 are public authorities and thus, amenable to writ jurisdiction and their offices are situated within the territorial jurisdiction of this Hon'ble Court. Hence, the Respondents are amenable to the writ jurisdiction of this Hon'ble Court and this Hon'ble Court has the territorial jurisdiction to entertain and try the present petition.
4. That the petitioner has not filed any other petition seeking relief similar to as is prayed for in the present petitioner. No other equally efficacious remedy, other than preferring the present petition, is available to the petitioner.

PRAYER

In the aforesaid premise, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to:

- a. set aside the order dated 08.03.2017 passed by the Film Certification Appellate Tribunal upholding the order dt. 31.08.2016 passed by the Respondent no.2;
- b. issue directions in the nature of writ of mandamus to the Respondents directing them to grant the certificate of exhibition to the film "Charlie and the Coca Cola Company" without the same being subjected to any cuts/conditions in the film; and
- c. pass any other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present petition.

PETITIONER

THROUGH

AHMED FARAZ KHAN
ADVOCATE (D-1697/12)
COUNSEL FOR THE APPLICANT
B 130, JANGPURA B, FIRST FLOOR
NEW DELHI- 110014

DATED:
NEW DELHI

SYNOPSIS & LIST OF DATES

The petitioner has preferred the instant writ petition under article 226 of the Constitution of India seeking directions in the nature of writ of mandamus directing respondent no.2 to issue in favour of the petitioner a certificate of exhibition to the documentary film “Charlie and the Coca Cola Company” produced by the petitioner, without the same being subjected to any cuts/conditions in the film as the refusal to grant certificate of exhibition to the film is irrational, arbitrary, and thus, violative of Article 14 and Article 19(1)(a) of the Constitution.

The Ld. Tribunal failed to notice that denying the petitioner certificate for public exhibition, the Respondent no.2 has clearly violated her fundamental right to freedom of speech guaranteed by our Constitution under Article 19(1)(a), in the garb of alleging defamation to a company, which the petitioner is entitled to by producing a documentary of protests and voices raised by individuals from various sections of the society about their plight owing to commercial activities of a private company.

Because it was held by a 5-Judges Constitution Bench of the Hon’ble Supreme Court in the case of *K.A. Abbas v. Union of India 1970 (2) SCC 780* in Paras 49,50 that, “...our standards must be so framed that we are not reduced to a level where the protection of the least capable and the most depraved amongst us determines what the morally healthy cannot view or read...The standards that we set for our censors must make a substantial allowance in favour of freedom thus leaving a vast area of creative art to interpret life and society with some of its foibles along with what is good...we may view a documentary on the erotic tableaux from our ancient temples with equanimity or read Kamasutra but a documentary from them as a practical sexual guide would be abhorrent...”

The Ld. Tribunal erred in holding that the documentary is per se replete with defamatory imputations as it is patently clear from the contents of the said film that the documentary from beginning to the end has simply shown the nationwide protests by farmers against

aerated drinks companies including the Coca Cola company with respect to severe abuse of water and interviews of local villagers, farmers and those employed with the Coca Cola company. There is not even a single scene in the said film which can be attributed to the same being politically motivated.

It has been expressly held by the Hon'ble Supreme Court in *Bobby Art International & Ors. v. Om Pal Singh Hoon & Ors. (1996) 4 SCC 1* that the guidelines issued under Section 5B of the Cinematograph Act are broad standards. They cannot be read as one would read a statute. Where the theme is of social relevance, it must be allowed to prevail. The present film too highlights the serious social issue of miserable conditions of farmers compelled to undertake widespread protests arising out of severe water abuse by the aerated drinks companies including the Coca Cola company.

The Ld. Tribunal failed to appreciate that it is not the stand of the Respondent no.2 nor is it in fact correct, that the persons interviewed in the said film are fictional actors. They are individuals who are affected by the issues afore mentioned. It is evident from a bare perusal of the transcript of the film that the producer has chosen Coca Cola company, only as a subject or a case-study, to showcase the social issues related to the business run by the bottled water selling companies.

The Ld. Tribunal failed to appreciate that one or two remarks here and there made specifically with respect to the Coca Cola company to extract information from those who are being interviewed does not amount to defamation, by any stretch of imagination and, if so, it could have been easily subjected to cuts/modifications/disclaimers by the Respondent no.2 rather than banning the exhibition of whole film altogether.

In the case of *Prakash Jha Productions v. Bata India Ltd. & Ors. MANU/DE/5509/2012*, Delhi High Court upheld the argument taken by the film production company that by four business houses named in the song, the understanding of the song would not be with reference to a particular house but to *a class which propagates the ideology of*

industrialization. And brings out a call to those who propagate the ideology of socialism to unite and fight (emphasis supplied).

In the present case, the references and reports of protests are also with respect to a class of companies running the business of aerated drinks including the Coca Cola company. The underlying tone of these protests and references made thereto are not unfounded but goes to the root of deepening crisis of water shortage and barren lands being faced by the farmers across the nation, amongst other social issues.

It has been held by the Apex Court in *S. Rangarajan v. P. Jagjivan Ram (1989) 2 SCR 204*, in Para 15 that restrictions on freedom of expression under Article 19(2) must be justified on the anvil of necessity and not in the quicksand of convenience of expediency.

Because the Ld. Tribunal failed to appreciate that merely because the film is critical of a particular business essentially because of its impact on society from the business run by a company, is no reason to impute that the petitioner intends to bring disrepute to a company or defame it running that business.

Hence the present petition.

LIST OF DATES

2016	The petitioner, who is an independent film maker, produced a documentary titled “Charlie and the Coca Cola Company” hereinafter referred to as the film, highlighting the miserable conditions and widespread protests by farmers arising from social issue of severe water abuse by the aerated drinks companies including the Coca Cola company, which has led to acute depletion of ground water thereby turning lands in the vicinity completely barren with no water to till their fields, while forcing many farmers to sell off their lands rendering them landless. The film also showcased the plight of workers employed by these companies, who are compelled to work in unsafe
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conditions without any protection on abysmally low wages.

- 22.04.2016 Petitioner filed an application dt. 22.04.2016 before the Respondent no.2, being Central Board of Film Certification, Mumbai for a certificate under the Cinematograph Act, 1952 seeking permission to exhibit the said film. For the said purpose, the petitioner submitted 2 sets of DVDs of the film along with entire English transcript of the said film.
- 31.08.2016 Respondent no.2 vide order dt. 31.08.2016 held that after viewing of film by the Examining Committee, the Board has come to the conclusion that the certificate cannot be issued for exhibition of the said film as the film more than education, is misleading and politically motivated.
- 27.10.2016 Petitioner filed an appeal under Section 5C of the Cinematograph Act, 1952 against the aforesaid order dt. 31.08.2016 passed by the Respondent no.2 before the Film Certification Appellate Tribunal, New Delhi.
- 08.03.2017 The Film Certification Appellate Tribunal, New Delhi while upholding the order dt. 31.08.2016 passed by the Respondent no.2 was pleased to dismiss the appeal preferred by the petitioner vide order dt. 08.03.2017 holding *inter alia* that the documentary is per se replete with defamatory imputations and has been made with a sole objective of shutting down the Coca Cola plant.
- 24.04.2017 Aggrieved by the order dt. 31.08.2016 passed by the Respondent no.2 and order dt. 08.03.2017 passed by the Film Certification Appellate Tribunal, New Delhi, the petitioner has preferred the present petition.

IN THE HIGH COURT OF DELHI AT NEW DELHI
(EXTRAORDINARY ORIGINAL CIVIL JURISDICTION)
WRIT PETITION (CIVIL) NO. OF 2017

IN THE MATTER OF:

JHARANA JHAVERI

...PETITIONER

VERSUS

UNION OF INDIA & ANR.

...RESPONDENTS

AFFIDAVIT

I, Jharana Jhaveri, wife of Mr. Anurag Singh, aged 53 years, resident of F 582, Top Floor, Lado Sarai, New Delhi - 110030 do hereby solemnly affirm and state as under:

1. That I am the petitioner in the present petition and as such am well aware of the facts and circumstances of the present case, thus, competent to swear this affidavit.
2. That the accompanying writ petition has been drafted by my counsel on my instructions. I have carefully gone through the contents of the same, from para 1 to 4 and certify them to be true and correct to the best of my knowledge and belief and that nothing material has been concealed there from.
3. That the documents annexed to the accompanying petition are true copies/typed copies of their respective originals.
4. That no other petition has been preferred seeking relief similar to the one prayed for in the present petition.

DEPONENT

VERIFICATION:

Verified at New Delhi on this ___ day of April 2017 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed there from.

DEPONENT

IN THE HIGH COURT OF DELHI AT NEW DELHI
(EXTRAORDINARY ORIGINAL CIVIL JURISDICTION)
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FILED BY:

AHMED FARAZ KHAN
ADVOCATE (D-1697/12)
COUNSEL FOR THE APPLICANT
B 130, JANGPURA B, FIRST FLOOR
NEW DELHI- 110014

NEW DELHI
DATED

IN THE HIGH COURT OF DELHI AT NEW DELHI
(EXTRAORDINARY ORIGINAL CIVIL JURISDICTION)
WRIT PETITION (CIVIL) NO. OF 2017

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JHARANA JHAVERI

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UNION OF INDIA & ANR.

...RESPONDENTS

NOTICE OF MOTION

To,
Standing Counsel (Criminal),
NCT of Delhi

Sir,

Please take note that the captioned matter is likely to be listed before the Hon'ble Court on _____ or any day thereafter, as per the convenience of the Hon'ble Court.

FILED BY:

AHMED FARAZ KHAN
ADVOCATE (D-1697/12)
COUNSEL FOR THE APPLICANT
B 130, JANGPURA B, FIRST FLOOR
NEW DELHI- 110014

NEW DELHI
DATED:

IN THE HIGH COURT OF DELHI AT NEW DELHI
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JHARANA JHAVERI

...PETITIONER

VERSUS

UNION OF INDIA & ANR.

...RESPONDENTS

URGENT APPLICATION

To,
The Registrar,
High Court of Delhi,
New Delhi

Sir,

Kindly treat the accompanying application as urgent in accordance with the Delhi High Court Rules & Orders. The ground of urgency is as follows:

“The petitioner is unable to exhibit the film produced by her which deals with serious social issues and has invested huge amount in production of the same.”

FILED BY:

AHMED FARAZ KHAN
ADVOCATE (D-1697/12)
COUNSEL FOR THE APPLICANT
B 130, JANGPURA B, FIRST FLOOR
NEW DELHI- 110014

NEW DELHI
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...RESPONDENTS

MEMO OF PARTIES

1. JHARANA JHAVERI,
WIFE OF MR. ANURAG SINGH
RESIDENT OF F 582, TOP FLOOR,
LADO SARAI, NEW DELHI - 110030.

...PETITIONER

VERSUS

1. UNION OF INDIA,
THROUGH THE
MINISTRY OF INFORMATION & BROADCASTING
SOOCHNA BHAWAN, CGO COMPLEX, LODHI ROAD
NEW DELHI - 110003.

...RESPONDENT NO.1

2. CENTRAL BOARD OF FILM CERTIFICATION,
REGIONAL OFFICER, 3RD FLOOR, PARYAVARAN BHAWAN
CGO COMPLEX, LODHI ROAD
NEW DELHI- 110003.

...RESPONDENT NO.2

FILED BY:

AHMED FARAZ KHAN
ADVOCATE (D-1697/12)
COUNSEL FOR THE APPLICANT
B 130, JANGPURA B, FIRST FLOOR
NEW DELHI- 110014

NEW DELHI
DATED:

IN THE HIGH COURT OF DELHI AT NEW DELHI
(EXTRAORDINARY ORIGINAL CIVIL JURISDICTION)

C.M. NO. OF 2017

IN

WRIT PETITION (CIVIL) NO. OF 2017

IN THE MATTER OF:

JHARANA JHAVERI

...PETITIONER

VERSUS

UNION OF INDIA & ANR.

...RESPONDENTS

APPLICATION ON BEHALF OF THE APPLICANT UNDER SECTION 151 CPC
FOR EXEMPTION

MOST RESPECTFULLY SHOWETH:

1. The petitioner has preferred the accompanying writ petition under article 226 of the Constitution of India and facts are not being narrated herein for the sake of brevity and the same may be treated as part and parcel of the present application.
2. That the petitioner is filing the accompanying petition in great urgency and has annexed the photocopy of the annexures including the orders passed by the Film Certification Appellate Tribunal and that passed by Respondent No.2. In the circumstances, the petitioner is unable to file the certified/true copies of the same.

PRAYER

It is, therefore, prayed that this Hon'ble Court may graciously be pleased to grant exemption to the petitioner from filing certified copies of the annexures to the accompanying petition including the orders.

FILED BY:

AHMED FARAZ KHAN
ADVOCATE (D-1697/12)
COUNSEL FOR THE APPLICANT
B 130, JANGPURA B, FIRST FLOOR
NEW DELHI- 110014

NEW DELHI
DATED:

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JHARANA JHAVERI

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UNION OF INDIA & ANR.

...RESPONDENTS

AFFIDAVIT

I, Jharana Jhaveri, wife of Mr. Anurag Singh, aged 53 years, resident of F 582, Top Floor, Lado Sarai, New Delhi - 110030 do hereby solemnly affirm and state as under:

1. That I am the petitioner in the present petition and as such am well aware of the facts and circumstances of the present case, thus, competent to swear this affidavit.
2. That the accompanying application has been drafted by my counsel on my instructions. I have carefully gone through the contents of the same and certify them to be true and correct to the best of my knowledge and belief and that nothing material has been concealed there from.
3. That the documents annexed to the accompanying petition are true copies/typed copies of their respective originals.

DEPONENT

VERIFICATION:

Verified at New Delhi on this ____ day of April 2017 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed there from.

DEPONENT

