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

+ W.P.(C) 445/2024 & CM APPLs. 2034/2024, 2036/2024

ZORA TRADERS LIMITED & ORS

..... Petitioners

Through: Mr. Jayant Mehta, Sr. Advocate with  
Mr. Vishakha Ahuja, Advocates

versus

UNION OF INDIA & ANR

..... Respondents

Through: Mr. Vikramjeet Banerjee, ASG with  
Mr. Vedansh Anand, GP, Mr.  
Apoorv, Shankar, Mr. Suraj Mishra,  
Mr. Waize Ali Noor, Mr. Varun  
Rajawat, Mr. Kartik Baijal, Ms.  
Shreya V Mehra, Ms. Vidhi Jain,  
Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

**25.01.2024**

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1. The Petitioners have approached this Court challenging the Order dated 09.01.2024 passed by Respondent No.1/Union of India by which the operation of News TV Channel "Lokshahi Marathi" was suspended on all distribution platform operators throughout India for a period of 30 days with effect from 6:00 PM on 09.01.2024.

2. Shorn of details, facts leading to the filing of instant writ petition are that the Petitioners herein were granted permission to operate the News TV Channel "Lokshahi Marathi" on 17.02.2022. The Respondent No.1 brought out Guidelines for Uplinking and Downlinking of Satellite Television

W.P.(C) 445/2024

Page 1 of 5



Channels in India, 2022 on 09.11.2022. Certain details were sought from the Petitioner by the Respondent No.1 *vide* letter dated 05.10.2023. Time was sought by the Petitioners to furnish the details as sought for by Respondent No.1 on 06.10.2023 and 12.10.2023. A Show Cause Notice on 17.11.2023 was issued to the Petitioners indicating violation of several clauses of the Guidelines for Uplinking and Downlinking of Satellite Television Channels in India, 2022. A preliminary reply was given by the Petitioners to the Show Cause Notice on 22.11.2023. A personal hearing was also granted to the Petitioners and ultimately the Impugned Order dated 09.01.2024 has been passed by Respondent No.1/Union of India suspending the operation of News TV Channel "Lokshahi Marathi" on all distribution platform operators throughout India for a period of 30 days with effect from 6:00 PM on 09.01.2024.

3. Challenging the aforesaid Impugned Order dated 09.01.2024 passed by Respondent No.1/Union of India, the instant writ petition has been filed by the Petitioners.

4. This Court on 12.01.2024 pointed out paragraph No.15 of the Impugned Order dated 09.01.2024 to the learned Counsel for the Petitioners and suggested to take corrective measures. Paragraph No.15 of the said Order reads as under:

*“15. The company is directed to take corrective measures and other necessary steps to ensure that the entire activity of the channel is under its own control and demonstrate the same through furnishing a future roadmap to align its structure and operations in accordance with the Policy guidelines 2022 to the Ministry, which on being accepted shall result in resumption of /services after the period of suspension*



*mentioned in para 14 is over. Non-furnishing of future road map to the satisfaction of the Competent Authority in the Ministry within the period of suspension may result into its further extension or cancellation of permission.”*

5. Learned Counsel for the Petitioners accepted the suggestion made by this Court and stated that the Petitioners would take all the corrective measures and necessary steps which would demonstrate to the Respondents that the activity of the channel is under their control. The Respondents were also directed to consider the case of the Petitioners before the next date of hearing and the case was fixed for hearing on 19.01.2024.

6. Before the next date of hearing i.e., 19.01.2024, an affidavit was filed by the Petitioners stating that all the defects pointed out by the Respondents have been carried out. A copy of the said affidavit was also served on the Respondents on the 16<sup>th</sup> January, 2024's evening. Learned ASG appearing for Union of India stated that the affidavit filed by the Petitioners would be considered expeditiously. This Court on 19.01.2024 observed that since the constitutional rights of the Petitioners under Articles 14, 19(1)(g) and 21 of the Constitution of India are in question, it is expected that the Respondent No.1/Union of India would in right earnest consider the objections and take a decision positively before 24<sup>th</sup> January, 2024's evening and the case was listed on 25.01.2024.

7. Today, when the matter was called out for hearing, the learned ASG appearing for the Respondents has handed over a communication issued by Respondent No.1 to the Petitioners which read as under:

*"Sid Madam.*



*Kindly refer to the roadmap furnished by the petitioner vide its Affidavit dated 16/01/2024 and subsequent letter dated 22/01/2024 and email dated 24/01/2024 and the Honourable High Court, Delhi's Order dated 19/01/2024 in the W.P (c) as per above subject.*

*I am directed to convey that the Competent authority has taken note of the corrective measures taken by M/s Zora Traders and the undertaking furnished by it to abide by the Policy guidelines and terms and conditions of the permission issued. The Ministry hopes that the effective control and management of the TV channel 'Lokshahi Marathi' shall be with M/s Zora Traders Ltd ( to whom permission has been issued).*

*The Court may consider the above decision of the Ministry while deciding the case.*

*With regards,*

*(Hamra Ravishankar)  
Under Secretary (TV-I),  
Ministry of Information and Broadcasting  
Shastri Bhawan, New Delhi-01"*

8. A perusal of the above communication indicates that the Petitioners have taken steps to rectify the defects pointed out by the Respondents and that as of today, the Petitioners are entitled to run the channel.
9. This Court, while exercising its jurisdiction under Article 226 of the Constitution of India and keeping in view the satisfaction arrived at by the Respondents, is of the opinion that the Petitioners must be permitted to commence the operation of channel.
10. Resultantly, keeping in view the fact that 15 days have already passed after the Impugned Order dated 09.01.2024 has been passed, this Court is



inclined to direct the Respondent No.1/Union of India to permit the Petitioners to commence the operation of News TV Channel "Lokshahi Marathi" forthwith.

11. In view of the above, the writ petition is disposed of, along with pending application(s), if any.

12. It is made clear that this Court has not made any observations on the merits of the case and this Court has exercised its discretion under Article 226 of the Constitution of India keeping in view the fact that the channel has not been operated for a period of 15 days and Respondent No.1/Union of India has now satisfied that all the defects pointed out by it have been rectified by the Petitioners and the activity of the channel is under their control.

**SUBRAMONIUM PRASAD, J**

**JANUARY 25, 2024**

*S. Zakir*