

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. OF 2020

*(Maharashtra Union of Working Journalists and anr vrs Union of India
and ors)*

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri D.V.Chauhan, Advocate for Petitioner
Shri U.M.Aurangabadkar, ASGI for Respondent No.1
Shri S.Y.Deopujari, Govt. Pleader for Respondent Nos.1 to 4.
Shri Sudhir Puranik, Advocate for Respondent No.5

CORAM: N.W.SAMBRE, J.

DATE: 20th APRIL, 2020

Heard.

Liberty to amend. As far as the cause title is concerned, let Nagpur Municipal Corporation be added as party Respondent No.5. Liberty to amend prayer clause is granted.

The amendment be carried out within two days from today.

Heard Shri Chauhan, the learned counsel for the petitioners. According to him, the directions issued by the State Government run contrary to the guidelines issued by the Central Government on the aspect of the rights of Print Media in the matter of distribution of Newspaper and Magazines. According to him, the State Government has permitted the

delivery of food items and e-commerce material, whereas an unreasonable and arbitrary embargo is created on the right of the Press by not permitting circulation of newspaper at door steps of the readers.

According to him, the restriction on circulation of Print Material incorporated by the Respondents has nothing to do with the object sought to be achieved by the State Government on the control of spread of COVID-19.

While countering the submissions, Shri Deopujari, the learned Government Pleader would urge that the restrictions imposed are reasonable, as, according to him, e-circulation of the newspaper is very much permitted. According to him, neither the petitioners nor the respondent authorities have control over the places wherefrom the vendors or the distributors are coming from i.e. like hot spots or COVID-19 affected areas. He submits that the respondent State Government be granted time to file reply in the matter so that the order of the State Government can be justified.

He fairly concedes that in view of the tweets by the Hon'ble the Chief Minister, it is always open for the petitioners to move the State Government with their grievances and

the State Government is duty bound to look into the matter having regard to freedom of speech and expression enjoyed by the Press.

In the aforesaid background, issue notice to the respondents.

Notice is made returnable on 23rd April, 2020, so as to enable the respondents to file their Affidavit in reply.

Shri Aurangabadkar, the learned ASGI waives service of notice for respondent No.1.

Shri Deopujari, the learned Government Pleader waives service of notice for respondent Nos. 2 to 4.

Shri Puranik, the learned counsel waives service of notice for respondent No.5 - Nagpur Municipal Corporation.

JUDGE

Rvjalit