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SLP(C)No. 17336 OF 2003
ITEM No.24

Court No. 1

SECTION IVA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.17336/2003

(From the judgement and order dated 24/07/2003 in WP 1815/2002
of The HIGH COURT OF M.P AT JABALPUR)

KARAN JOHAR

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

(With prayer for interim relief)

With
S.L.P.(C) No. 17356 of 2003

Date : 26/09/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S.B. SINHA

For Petitioner (s)Mr. G.L. Sanghi, Sr.Adv.
Mr. Karan Singh, Adv.
Mr. Saket Bahuguna, Adv.
Mr. Harshvardhan Jha, Adv.
Mr. Narinder Singh, Adv.
Mr. P.D. Sharma,Adv.

For Respondent (s)

UPON hearing counsel the Court made the following
O R D E R

Issue notice on special leave petitions as also on the prayer for interim relief.
These matters arises out of an order and judgment passed by the Madhya Pradesh High Court in a
Public Interest Litigation, directing the film 'Kabhi Khushi Kabhi Gham', produced and
directed by the

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petitioners shall not be shown in any theatre unless the screen which depicts the national ant
hem is deleted and further the other respondents have been directed to withdraw the film from
all cinema halls and the theatre owners are restrained from showing the film in the present fo
rm. A direction has also been issued to withdraw the certificate unless the deletion is affec
ted.

We have heard Mr. G.L. Sanghi, learned senior counsel and Mr. L.N. Rao, learned Additional Sol
icitor General. We are satisfied that in view of the instructions that in the National Anthe
m exhibited in the course of exhibition of newsreel or documentary, the audience are not expec
ted to stand, as the same interrupt the exhibition of the film and would create disorder and c
onfusion rather than add to the dignity of the Anthem. We, therefore, suspend the operation o
f the order under challenge.

Learned Additional Solicitor General, appearing on our request, prays for and is allowed four
weeks' time to file counter affidavit. List thereafter.

[Alka Dudeja] [Suraj Parkash]
Court Master Court Master