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

+ **W.P.(C) 5820/2024**

RAQIB HAMEED

..... Petitioner

Through: Ms. Vrinda Bhandari, Mr. Abhinav Sekhri, Ms. Gayatri Malhotra, Ms. Rubayya Tasneem, Ms. Anandita Rana, Mr. Madhav Aggarwal and Ms. Pragya B., Advocates.

versus

UNION OF INDIA REPRESENTED BY THE SECRETARY
MINISTRY OF ELECTRONICS AND INFORMATION
TECHNOLOGY & ANR. Respondents

Through: Mr. Premtosh K. Mishra, CGSC with
Mr. Rudra Paliwal, GP and Mr. Manu
Arya, Mr. Rakesh, Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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25.04.2024

CM APPL. 24094/2024 & CM APPL. 24095/2024 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 5820/2024 & CM APPL. 24093/2024

1. The Petitioner has approached this Court with the following prayers:

“A. Issue a writ in the nature of mandamus or certiorari or any other appropriate writ, order, or direction calling for records pertaining to the blocking of the Petitioner’s X account [@HindutvaWatchIn] with the URL <https://twitter.com/hindutvawatchin?lang=en>, as maintained under Rules 15 of the 2009 Blocking Rules,



including the order of blocking issued by the Respondent No. 1 under Section 69A of the IT Act;

B. Issue a writ in the nature of mandamus or certiorari or any other appropriate writ, order, or direction calling for the orders/findings of the Review Committee constituted under Rule 14 of the 2009 Blocking Rules in respect of its decision qua the blocking of the Petitioner's X account [@HindutvaWatchIn] with the URL [https://twitter.com/hindutvawatchin?lang=en];

C. Issue a writ in the nature of mandamus or certiorari or any other appropriate writ, order, or direction for setting aside and quashing all orders/directions issued by Respondent No. 1 under Section 69A of the IT Act in respect of the Petitioner's X account [@HindutvaWatchIn] with the URL [https://twitter.com/hindutvawatchin?lang=en], including the orders blocking the said account;

D. Issue a writ in the nature of mandamus or any other appropriate writ, order, or direction, directing Respondent No. 2 to immediately restore access to the Petitioner's X account [@HindutvaWatchIn] with the URL [https://twitter.com/hindutvawatchin?lang=en]; and

E. Pass any other order(s) or relief(s) as this Hon'ble Court may deem fit."

2. Learned Counsel appearing for the Petitioner draws attention of this Court to an Order dated 11.05.2022 passed by a Division Bench of this Court in W.P.(C) 13037/2019 wherein in similar circumstances, this Court had permitted post-decisional hearing to the Petitioner therein and also directed that a copy of the original blocking order, after redacting the portion pertaining to the third parties, be furnished to the Petitioner therein.



3. Though the learned Counsel appearing for the Respondent No.1 states that post-decisional hearing was offered to the Petitioner but the same could not be availed of because the Petitioner was not available in the country.
4. The second post-decisional hearing can be given to the Petitioner if the Petitioner can appear virtually to attend the hearing.
5. Learned Counsel appearing for the Respondent No.1 directed to take instructions on the aforesaid.
6. List on 26.07.2024.

SUBRAMONIUM PRASAD, J

APRIL 25, 2024

S. Zakir