

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	27.07.2023		<p>WPPIL No. 118 of 2023 <u>Hon'ble Vipin Sanghi, C.J.</u> <u>Hon'ble Rakesh Thapliyal, J.</u></p> <p>1. Dr. Kartikey Hari Gupta, learned counsel for the petitioner.</p> <p>2. Issue notice.</p> <p>3. Mr. Rajesh Sharma, learned Standing Counsel for the Union of India, appears and accepts notice on behalf of respondent no. 1.</p> <p>4. Mr. Pradeep Joshi, learned Additional Chief Standing Counsel for the State of Uttarakhand, appears and accepts notice on behalf of respondent no. 2.</p> <p>5. The petitioner has preferred the present Writ Petition in public interest to seek the following reliefs :-</p> <p style="padding-left: 40px;">(i) <i>A Writ, Order or Direction declaring Rule - 3 (i) (II) (C) of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2023; Notification dated 06.04.2023 (Annexure No. 1.) ultra vires Article - 14, 19 & 21 of the Constitution of India and Section - 79 of the Information Technology Act, 2000.</i></p> <p style="padding-left: 40px;">(ii) <i>A Writ, Order or Direction in the nature of Mandamus directing the respondents not to implement the provisions of Rule - 3 (i) (I) (C) of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2023.</i></p> <p>6. We are not inclined to entertain this Writ Petition in Public Interest, since it involves the challenge to a Central Legislation, in a vacuum. To be able to appreciate the challenge, we are of the view that it is necessary that we should have an actual fact situation before us, to see what the impact of the law, which is under challenge, is in the facts of the case.</p>

VERDICTUM.IN

7. We, therefore, dismiss the present Writ Petition *in limine*.

8. Consequently, pending application(s), if any, also stand disposed of, accordingly.

(Rakesh Thapliyal, J.)
27.07.2023

(Vipin Sanghi, C.J.)
27.07.2023

Rahul