

**HIGH COURT OF TRIPURA  
AGARTALA**

WP(C) NO.857 OF 2022

**HON'BLE MR. JUSTICE T. AMARNATH GOUD**

**Present:**

For the Petitioner(s) : Mr. S.K. Deb, Sr. Advocate.  
Mr. B. Debnath, Advocate.

For the Respondent(s) : Mr. D. Bhattacharjee, G.A.  
Mr. S. Saha, Advocate.

**30.09.2022**

**Order**

The present writ petition is filed by the petitioners herein seeking various reliefs. The main grievance of the petitioners is against the 3<sup>rd</sup> respondent herein with regard to non-considering his newspaper publication for empanelling and providing Government advertisement on the ground of not having a proper circulation as per the Audit Bureau of Circulations(*in short*, 'ABC')

In the said backdrop, one Mr. Abhishek Dey has filed certain applications before the concerned authorities under the RTI Act and also before the concerned committee and 'ABC' which according to him were not positively dealt.

Heard learned counsel appearing for the parties.

When the Court has questioned Mr. S.K. Deb, learned Sr. counsel appearing for the petitioners herein with regard to the nonjoinder of necessary parties more particularly 'ABC' as respondent, since the main grievance runs around the matter of circulation; further impleading private respondents No.5, 6 & 7 as no relief is sought against them. In this regard, there is no proper reply is given.

This Court further verified as to why the petitioner has not approached the concerned 'ABC' *Mumbai* seeking to provide the circulation figure of the petitioner's newspaper by providing necessary information, it was argued that in due course, the 'ABC' would conduct the survey and issue circulation figures but the period is uncertain.

This Court feels that providing advertisement in any newspaper is the prerogative of the customer and here the State-Government is the customer and it is for the State-Government to pick and choose the newspaper of its choice depending on its various parameter including the nature of advertisement which would serve the purpose in reaching to the reader of the said newspaper.

It is seen from the record that the petitioner-newspaper is the ownership newspaper company and

Abhishek Dey is not competent to file the representation before the concerned authorities.

In view of the above discussion, when the Court has expressed his view that no relief can be granted for the present, learned Sr. counsel for the petitioner after making an elaborate argument finally prayed to withdraw the case with liberty to file afresh.

Request considered.

This instant writ petition is dismissed as withdrawn with liberty to proceed in accordance with the law.

**JUDGE**

suhanjit

