

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (STAMP) NO.7743 OF 2021**

Ravi Mallesh Bohra @ D.K. Rao & Ors. ... Petitioners
V/s.
The State of Maharashtra & Ors. ... Respondents

Mr.Prashant Pandey with Tushar Halwai, Ashray Dave, Aiqan Menon, Bilal Ahmad for the Petitioners.
Ms.P.H.Kantharia G.P. for the Respondent-State.
Dr.Birendra Saraf, Senior Advocate with Mr.Ameet Naik, Ms.Madhu Gadodia i/b Naik Naik & Co. for the Respondent Nos.2 and 3.

**CORAM : A. A. SAYED AND
MADHAV J. JAMDAR, JJ.**

DATED : 18TH MARCH, 2021

P.C:-

1. By this Petition, the Petitioners are seeking stay of release of the film "Mumbai Saga". The film is due to be released tomorrow i.e. 19/03/2021. The Petition has been moved today (18/03/2021) at eleventh hour.
2. It is not in dispute that the Petitioner Nos.2 and 3 were aware about making of the movie since March 2019 and even addressed a legal notice dated 06/03/2019 through their Advocate.
3. Learned Counsel for the Respondent Nos.2 and 3 pointed out that the Petitioners had approached the MCOG Court which has not granted any relief to the Petitioners. This fact has not been disclosed in the Writ Petition.

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4. Learned Counsel for the Respondent Nos.2 and 3 states that the film is only inspired by true events and there is a disclaimer which shall be displayed at the beginning of the film. It read thus :

“Disclaimer

all characters, names, location, building, properties, assigned are all fictitious,
if there is any resemblance to any location, person, property etc.
it is purely co-incidental and not intentional

Any mention of a community, language or region in this film is not intended to
inflict contempt at any point.

the film must therefore be viewed as purely a non-commenting source of harmless
entertainment not designed to hurt or disdain an individual or a community. “

5. The judgment in case of ***Mushtaq Moosa Tarani vs. Government of India & Ors. 2005 SCC Online Bom 385*** relied upon by learned Counsel for the Petitioners would not be applicable in the facts of this case. In that case it was an admitted position that the film was based on book which claimed to be the true story of the Bombay bomb blasts and the characters therein also had same names as that of the characters on which it was based.

6. No case for granting ad-interim relief is made out.

7. List the Writ Petition on 29th April, 2021.

[MADHAV J. JAMDAR, J.]

[A. A. SAYED, J.]



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