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

% ***Date of Decision: November 05th, 2026***

\# **CNR No. DLHC010540372026**

\+ **W.P.(C) 16608/2026**

S C GUPTA .....Petitioner

Through: Petitioner in person.

versus

DIRECTOR GENERAL ALL INDIA RADIO .....Respondent

Through:

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J. *(Oral)*

1. By the present petition, the petitioner seeks issuance of a writ thereby directing the respondent to pay a sum of ₹10 crores as damages towards alleged defamation, mental agony, physical and social harassment and suffering caused to the petitioner purportedly arising from the wrong statement given by the Deputy Director General of All India Radio before the Sole Arbitrator which culminated in the award dated 31.12.2019.

2. Briefly, as discernible from the pleadings, the petitioner, proprietor of M/s Electronic Enterprises, claims that certain disputes arose out of a tender floated by DGS&D in the year 1988 for procurement of microphones, in which the petitioner claims to have participated. The principal grievance of the petitioner appears to be stemming from a statement made by one Shri Vijay Prakash Yadav, Deputy Director General, All India Radio, during the arbitral

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proceedings stating that the officers of All India Radio had visited the factory of AKG Acoustics (India) at Gurgaon whereas the petitioner's factory at Jaipur had not been inspected. It is the petitioner's case that the said statement is incorrect and the petitioner consequently also seeks production of inspection report allegedly pertaining to October 1988 besides compensation to the tune of ₹10 crores towards defamation, harassment and mental agony.

3. Having carefully considered the pleadings and the documents placed on record, this Court is of the opinion that the no relief can be granted to the petitioner in the facts of the present case for the following reasons.

4. *Firstly*, the present petition, as is apparent from the factual matrix, ought not to be entertained on account of delay and laches. The fulcrum of the petitioner's case finds its genesis from a tender that was floated in the year 1988 and a capacity report that was also generated in October 1988. The alleged statement, which is now pressed forth as the primary source of grievance, was also made during the arbitral proceedings and stands recorded in the award dated 31.12.2019. The present writ petition has only been preferred in October 2026. The petitioner thus essentially seeks to rekindle matters that originated more than three decades ago, and also a statement made in arbitral proceedings that stood culminated in an award almost seven years prior to the filing of the present petition. While this Court is conscious that no statutory timeline is ascribed to the exercise of jurisdiction under Article 226 of the Constitution of India,

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unexplained delay and laches disentitles the litigant from grant of discretionary relief.

5. *Secondly,* the petitioner himself was the claimant in the arbitral proceedings wherein the alleged incorrect statement was furnished by Shri Vijay Prakash Yadav, Deputy Director General, All India Radio. As is apparent from a reading of the arbitral award, it is recorded that the material facts stated by the said witness remained uncontroverted in the cross examination. The arbitral award dated 30.12.2019 thereafter directed payment of ₹1 lakh with interest @9% to the petitioner and rejected all other claims of the petitioner. Interestingly, the present petition does not seek any remedy against the award itself. Instead, what is sought to be raised as an independent claim, is premised upon the testimony of one witness who formed part of the very arbitral proceedings in which the petitioner was the claimant. Having participated in the proceedings and having had the opportunity to test the testimony of the witness, the petitioner cannot, especially after a lapse of almost 7 years, use the extraordinary writ jurisdiction as a collateral forum to reopen the factual controversy that already stands settled by the award.

6. Furthermore, the controversy pointed out by the petitioner in the present case, as noted above, stems from an allegedly wrongful or defamatory statement. The said question necessarily involves examination of disputed questions of facts as to whether the statement was false, whether the said statement was made knowingly, whether the alleged injury bears causal relationship to the conduct complained

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of or the like. Such questions cannot anyway be delved into while exercising jurisdiction under Article 226 of the Constitution of India especially when it involves factual controversy originating as early as 1988.

7. In the light of the aforesaid reasons, this Court is of the considered view that the present petition is devoid of merit and does not warrant exercise of jurisdiction under Article 226 of the Constitution of India.

8. The present petition is accordingly dismissed, along with pending application(s), if any.

AMIT MAHAJAN, J

NOVEMBER 5, 2026
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