

BEFORE THE FILM CERTIFICATION APPELLATE TRIBUNAL

Dated: 16.05.2019

Appeal No. 12/2019

IN THE MATTER OF:

GANAPATHI NAGAPPA PATIL

.....

APPELLANT

VERSUS

**CENTRAL BOARD OF FILM
CERTIFICATION (CBFC), BANGALORE**

.....

RESPONDENT

APPEAL UNDER SECTION 5C OF THE CINEMATOGRAPH ACT, 1952 (37 OF 1952) AGAINST THE DECISION OF CENTRAL BOARD OF FILM CERTIFICATION (CBFC) IN RESPECT OF **KANNADA MOVIE "MUKHAVADA ILLADAVANU 84"**

ORDER

Chief Justice (Retd.) Manmohan Sarin:-

1. An appeal titled *Ganapathi Nagappa Patil Vs. Central Board Of Film Certification (CBFC), Bangalore* in respect of the film "**MUKHAVADA ILLADAVANU 84**" (Kannada) filed by the Appellant Ganapathi Nagappa Patil. The appeal assails order dated 24th January, 2019.

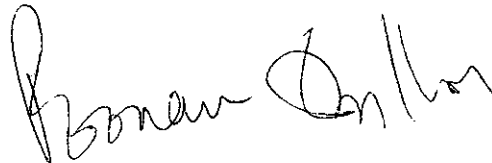
2. The Appellant himself states that their representative on checking the online status learnt about the impugned order in the month of February, 2019. However, Appellant has not given the exact date of receipt of impugned order. Appellant has a grievance regarding the 'A' Certification of the film as well as

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alleges lack of clarity in the modifications/excisions directed in the impugned order.

3. The Appeal has been preferred & received in the office of the Tribunal on 6th May, 2019 i.e. with a delay of more than 60 days under Section 5(C) of the Cinematograph Act, 1952. An appeal is required to be preferred within 30 days of the order. Further Proviso to Section 5(C) of The Cinematograph Act, 1952 empowers this Tribunal to condone a further delay of 30 days, if it is satisfied that the Appellant was prevented by sufficient cause from filing the appeal within 30 days.

4. In the present case, the delay is more than 60 days which is beyond the statutory power of the Tribunal to condone. Accordingly, appeal cannot be entertained, being barred by limitation. The Appellant if so advised may approach the High Court for condonation of delay and direction to be issued for a decision on merits by the Tribunal.



POONAM DHILLON
MEMBER, FCAT



CHIEF JUSTICE (RETD.) MANMOHAN SARIN
CHAIRPERSON, FCAT