



Court on its own motion Vs. State of H.P. & Ors.

CMP No.326/2023 and CMP Nos. 365 & 366/2023 in
CWPII No. 146/2017

10.01.2023 Present: Court on its own motion.

Mr. Anup Rattan, Advocate General with Mr. Rakesh Dhaulta, Additional Advocate General, for the applicants/respondents in CMP No.326/2023.

Mr. Ashok Kumar Tyagi, Advocate, for the applicant/respondent in CMP Nos. 365 & 366/2023.

CMP No.326/2023

This application is filed by the Sub Divisional Officer, Dharampur, District Mandi, H.P., seeking permission to organize the District Level Lohri Fair on 13.01.2023 and 14.01.2023 at the ground of Government Senior Secondary School Sajaopiplu, Block and Sub Division Dharampur, District Mandi, H.P. between 9.00 A.M. to 05.00 P.M.

2. Learned Additional Advocate General has invited our attention to the No Objection Certificate dated 30.12.2022 (Annexure R-3) issued by the Principal of Government Senior Secondary School Bharan. He has pointed out that the prize distribution function which is to be held on 14.01.2023 is part of the Lohri celebration and in the last paragraph of the No Objection Certificate it is stated that as per tradition, the campus is being used by the administration for the celebration of fair for the last more than fifty years. It is further pointed out that the No Objection Certificate states that the



School in question is closed from 11th January, 2023 to 15th January, 2023.

3. In the facts and circumstances of the case, we allow the application subject to the following conditions:

(i) That no damage shall be caused to the property of the school and its playground, where the event is proposed to be organized.

(ii) That after the event is over, the playground shall be handed over to the Principal of the School aforesaid in a neat and clean condition and it shall be ensured that no plastic is used except the one permissible under the law. The administration shall ensure that the playground is cleaned after the event.

(iii) That the applicant shall follow the COVID-19 protocols, such as norms of social distancing and use of masks etc. and other guidelines issued by the State Government and the Central Government.

(iv) That the law and order shall be maintained by the local administration during the said period.

(v) That the applicant shall deposit a sum of Rs.11,000/- in the Students Welfare Fund of the school concerned.”



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4. The application is allowed in the above terms
and to stand disposed of.

CMP Nos.365 & 366/2023

As prayed, list on **13.01.2023**, high on the Board.

(A.A. Sayed)
Chief Justice

(Jyotsna Rewal Dua)
Judge

10th January 2023_(Rohit)