



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

**CMP Nos.365, 366 and 785 of 2023 in CWPIIL
No.146 of 2017**

13.01.2023 Present: Court on its own motion.

Mr. Anup Rattan, Advocate General, with Mr. Rakesh Dhaulta, Additional Advocate General, for the respondents-State.

Mr. Ashok Kumar Tayagi, Advocate, for the applicants.

CMP Nos.366 and 785 of 2023

Allowed and to stand disposed of.

CMP No.365 of 2023

The application is filed by the applicant Gram Panchayat, Amboya, Tehsil Paonta Sahib, District Sirmour for permission to use the second playground of the Government Senior Secondary School, Amboya, Tehsil Paonta Sahib, District Sirmour for organizing the Shaheedi Divas fair and cultural programme from 30.01.2023 to 01.02.2023. No objection certificate dated 10.01.2023 of the Principal of the said school has been placed on record as annexure to CMP No.785 of 2023. The said certificate reveals that the second playground of the school is separate from the main school building and no disturbance would be caused if the fair and sport events are held.

2. 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*



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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.*

3. The application to stand disposed of.

(A.A. Sayed)
Chief Justice

(Jyotsna Rewal Dua)
Judge

January 13, 2023
(vt)