



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

CMP No.1662 of 2023

in

CWPIL No.146 of 2017

01.03.2023 Present: Ms. Parul Negi, Advocate, for the applicant.

Mr. Rakesh Dhaulta, Additional Advocate General, for the respondents/State.

CMP No.1662 of 2023

This application has been filed by Bushahr Sports, Cultural & Environment Association, through its General Secretary, with the prayer that the applicant-Association be allowed to organize a cultural event on the occasion of Fag Fair, w.e.f. 9th to 11th March, 2023, in the premises of Padam Government Senior Secondary School, Rampur, District Shimla.

2. It is contended that the organization of the said event in the playground of the aforesaid school will not adversely affect the studies of the students in the school as the said event will be conducted during the evening after school hours from 06.00 p.m. to 10.00 p.m. The Principal of the school has also given his No Objection for holding such event in the playground of the school.

3. In view of the orders passed by this Court in CWPIL No.146 of 2017, restrictions have been made to utilize the playgrounds of the Schools/Colleges holding



any such programme, therefore, the applicant has filed the present application.

4. Learned Additional Advocate General has submitted that in the past also, similar permission has been granted by this Court for the activities like the present one on certain conditions.

5. We are, therefore, persuaded to allow this application and permit the applicant to organize a cultural event on the occasion of Fag Fair, w.e.f. 9th to 11th March, 2023, in the premises of Padam Government Senior Secondary School, Rampur, District Shimla, on 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 event is convened, the playground shall be handed over to the Principal of the School in neat and clean condition;
- (iii) That the applicant shall follow the COVID protocols, such as norms of social distancing and use of masks etc. and other guidelines issued by the State Government and the Central Government;



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- (iv) That the law and order shall be maintained by the local administration during the said period; and
- (v) That the applicant shall deposit a sum of Rs.5000/ in the Students Welfare Fund of the school.

6. The application stands disposed of.

(Sabina)
Acting Chief Justice

March 01, 2023
(Yashwant)

(Satyen Vaidya)
Judge