



Item No. S-7

Court on its own Motion Vs. State of H.P. & others

CMPs No.989, 1072, 1080 of 2025 in CWPIL No. 146 of 2017

09.01.2025 Present: Mr. Amit Kumar Dhumal, Advocate, for the applicant in CMP No. 989 of 2025.

Mr. Rohit Chauhan, Advocate, for the applicant in CMP No. 1072 of 2025.

Mr. Ashok Kumar Tyagi, Advocate, for the applicant in CMP No. 1080 of 2025.

Mr. Anup Rattan, Advocate General with Mr. Arsh Rattan, Deputy Advocate General, for the respondents-State.

CMP No. 1081 of 2025 in CWPIL No. 146 of 2017

The application is disposed of with a direction that translated copies of the documents in question be filed within a period of two weeks.

CMP No. 1072 of 2025 in CWPIL No. 146 of 2017

Learned Counsel for the applicant submits that he does not wish to press the present application. Accordingly, the same is dismissed as not pressed.

CMPs No. 989 & 1080 of 2025 in CWPIL No. 146 of 2017.

CMP No. 989 of 2025 has been filed by applicant- Nek Ram Thakur seeking permission to organize matches under the aegis of Sansad Khel Mahakump in the playground of Dr. S. Radhakrishnan Government Degree College, Dharampur, District Mandi, Himachal Pradesh w.e.f. 10th to 20th January, 2025.



Similarly, CMP No. 1080 of 2025 has been filed on behalf of Gram Panchayat Amboya, Tehsil Paonta Sahib, District Sirmour, H.P. through its Pradhan, seeking permission to use the second playground of the Government Senior Secondary School Amboya, Tehsil Paonta Sahib, District Sirmour, H.P. for organizing the Shaheedi Divas fair and cultural programme from 30.01.2025 to 01.02.2025 after the school hours, i.e. after 3.00 p.m. and the said playground is stated to be outside the boundary wall of the school premises.

Permission is being sought in view of the earlier order passed on the basis of the order dated 11.12.2017 in the main case, i.e., CWPIIL No. 146 of 2017, whereby it was directed that no activity other than the one connected with the affairs of the institution shall be carried out in any of the campuses, meant for imparting teaching to students, be it a primary, secondary, higher or college levels. The Principal(s) of such institutions were directed to ensure that activities conducted by the concerned student unions are not carried out in a manner so as to be detrimental to education or interest of the students.

Learned Deputy Advocate General submits that in Dr. S. Radhakrishnan Government Degree College, Dharampur, District Mandi, Himachal Pradesh, winter vacation are going on and the College is closed. Necessary 'NOC' dated 04.01.2025 of the Principal of the concerned College has also been enclosed with the



application, wherein it is mentioned that the College has no objection in case the college ground is used to organize the aforesaid matches and the status of the playground is maintained in proper manner and no damage is caused to the playground and adjoining properties of the College.

Similarly, in the second application 'NOC' dated 20.12.2024 of the Principal of the concerned School has also been enclosed with the application, wherein it is mentioned that the School has no objection in case the second playground of the said school is used for organizing the Shaheedi Divas fair and cultural programme from 30.01.2025 to 01.02.2025.

Accordingly, the prayers made in the applications are allowed, subject to adherence to the following conditions in terms of the orders passed on 30th September, 2021 in CMP No.1176 of 2021, which read as under:-

“i) That the playground shall not be damaged and any garbage that is created (sic...generated) during the function [will] be got [sic] cleared by the concerned authorities;

ii) That no loss shall be caused to the property of the School and also the ground, where the function is proposed to be organized;

iii) That the order passed in CWPIL No. 146 of 2017 shall be complied with strictly; iv) That the school premises shall be kept neat and clean and no



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disturbance [sic...would be] caused to the academic atmosphere of the school; and

v) That the law and order shall be maintained by the administration during the said period.”

The applications are disposed of in above terms.

(G.S. Sandhawalia)
Chief Justice.

(Satyen Vaidya)
Judge

January 09, 2025
(hemlata)