



CMPs No. 4328 & 4341 of 2019
in CWPII No. 146 of 2017

20.05.2019 Present: Court on its own motion.

Mr. Ajay Vaidya, Senior Additional Advocate General, with M/s. J.K. Verma, Ritta Goswami, Adarsh Sharma & Nand Lal Thakur, Additional Advocate Generals, Ms. Divya Sood, Deputy Advocate General, and Mr. Manoj Bagga, Assistant Advocate General, for respondents-State.

Mr. Dalip K. Sharma, Advocate, for the applicant in CMP No. 4328 of 2019.

Mr. H.C. Sharma, Advocate, for the applicant in CMP No. 4341 of 2019.

CMP No. 4328 of 2019

This application has been moved by the Gram Panchayat of Village Balichowki to permit it to organize the Devta Mela Balichowki with effect from 23rd May, 2019 to 31st May, 2019, in the playground of Government Senior Secondary School Balichowki.

2. It is undertaken that the fair shall be organized after the School hours and no disturbance whatsoever, shall be caused to the academic atmosphere of the School. It is also undertaken that the Government property, namely, the School Building, will not be put to any loss and it shall be kept neat and clean after the function/fair is over.

3. Learned Additional Advocate General also has no objection if the prayer is allowed.



-: 2 :-

4. Subject to the condition that the Gram Panchayat will organize the fair after the School hours and shall not cause any disturbance in the academic activities of the School, directly or indirectly, and further, shall keep the playground neat and clean after the fair is over, the application is allowed and disposed of in above terms.

CMP No. 4341 of 2019

5. This application has been moved by Maa Maheshwari Traditional Cultural Thoda Party and Welfare Samiti, Shari (Matiana), Tehsil Theog, District Shimla, seeking permission to organize Cultural Programme 'Thoda' at the playground of Government Senior Secondary School, Matiana, Tehsil Theog on 16th and 17th June, 2019, both being gazetted holidays.

6. It is averred in the application that the above-stated Samiti has been organizing the traditional function for the last several years. The proposed dates of the functions are on gazetted holidays and the School will remain closed and, thus, no disturbance to the academic activities of the School shall be caused. A further undertaking has been given that the School building, i.e. playground, etc. will be restored to the original condition and shall be kept neat and clean after the function is over.



-: 3 :-

7. Learned Additional Advocate General also has no objection if the request of the applicant is accepted.

8. Subject to the above-stated conditions, the prayer in the application is allowed. The application is disposed of accordingly.

Copy **dasti**.

(Surya Kant)
Chief Justice

(Sandeep Sharma)
Judge

May 20, 2019
(*rajni*)