



CWPIL No. 146 of 2017
(Court on its own motion vs. State of H.P.)

15.2.2022 Present: Court on its own motion.

Mr. Ajay Kumar Chauhan, Advocate for the applicant in CMP No. 1352 of 2022.

Ms. Ritta Goswami, Additional Advocate General for the non-applicants/respondents No.1 to 5/State.

CMP No. 1352 of 2022

This application has been filed by Triveni Youth Club Dabrog, Post Office & Tehsil Sarkaghat, District Mandi, H.P supported by an affidavit of President of the Club seeking permission to organize cricket matches of 2nd Sahil Memorial Cricket Tournament w.e.f 14.2.2022 to 20.2.2022 in the playground of Govt. Degree College, Sarkaghat, District Mandi.

The application was filed on 11.2.2022 and request to list the application was made for 14.2.2022. On 14.2.2022 matter was adjourned on request of learned Additional Advocate General to have complete instructions in response to the application.

In view of the order passed in main CWPIL No. 146 of 2017, restrictions have been made to utilize play grounds of schools and colleges for holding any



such programs, therefore the present application has been filed.

Today under instructions, learned Additional Advocate General submits that in these days, House Tests of all classes in Government Degree College, Sarkaghat are in progress which are being conducted during morning and evening sessions i.e 10.00 a.m. to 1.00 p.m and 2.00 p.m. to 5.00 p.m. and, therefore, she has been instructed to communicate that organizing matches during working days may affect the students appearing in the House Tests and, therefore, the applicant be permitted to organize the matches during holidays only. It has been further stated that House Tests will be over by 24th February, 2022 and thereafter during post lunch sessions matches may be organized by the applicant but without affecting academic atmosphere of the college.

Learned counsel for the applicant has also submitted that in past also similar permission has been granted by this Court for the program like the present one and further that by order of SDM, Sarkaghat dated 4.12.2021 passing of the vehicles/driving license trial are being conducted by the Transport Department in the college ground during working days.



Learned Additional Advocate General has submitted that in the past also, similar permission has been granted by this Court but with condition not to disturb the academic atmosphere of the educational institution and with certain other conditions.

In view of the above, the applicant is permitted to organize Cricket matches in the College on holidays and also during post lunch session after 24.2.2022 but subject to following conditions:-

- (i) No disturbance shall be caused to academic atmosphere of the college and in case any such disturbance is caused the Principal shall have right to ask the organizer to close the match and not to organize the match at the same time in future.
- (ii) That no damage shall be caused to the property of the college and its playground where matches are proposed to be organized.
- (iii) That applicant shall ensure cleaning of the playground every day after match is over.
- (iv) That after tournament is over the play ground shall be handed over to the Principal of the College in neat and clean condition.
- (v) Before organizing match, on a working day after 24.2.2022, a prior information shall be given to the



Principal of the College and the match shall be organized after his written consent for that and before that no match shall be organized during the working days.

(vi) 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.

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

(viii) That the applicant shall deposit a sum of Rs.5,000/- in the students welfare Fund of the College.

The application stands disposed of.

The petitioner is permitted to produce copy of order downloaded from the High Court website and the concerned authority/Court shall not insist for certified copy of the order, however, may verify the order from the High Court website or otherwise.

Dasti copy on usual terms.

15th February, 2022
(Priti)

(Vivek Singh Thakur),
Vacation Judge.