



2017:HHC:8177-DB

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

CWPIL No. 146 of 2017

14.6.2022

Present: Court on its own motion.

Mr. Devender K.Sharma, Advocate, for applicant in CMP No. 7298 of 2022.

Mr.Ashok Sharma, Advocate General with Mr. Ranjan Sharma and Mr. Ashwani Sharma, Additional Advocate Generals and Mr. Vikrant Chandel and Mr. Kunal Thakur, Deputy Advocate Generals, for the respondents-State.

CMP No. 7298 of 2022

By medium of this application, applicant has sought direction to the respondents-State to allow it to organize Mata Nabahi Devi fair, w.e.f. 15.6.2022 to 17.6.2022 in the playground of Government Senior Secondary School, Nabahi, Tehsil Sarkaghat, District Mandi.

2. Learned counsel for the applicant submits that this fair is being organized every year by the applicant and the same is a non-political activity/function. He further states that the fair will be conducted only after the school hours and in this way even the studies of the students would not be affected. However, we noticed that the applicant has not obtained No Objection Certificate from the concerned school.



3. Therefore, in the given facts and circumstances of the case, we direct the applicant to first obtain No Objection Certificate from the school and only thereafter the applicant shall be permitted to use the playground of the school, that too after the school hours. This permission shall be subject to the following conditions:

- i) That no damage shall be caused to the property of the school and its playground, where the fair is proposed to be organized.
- ii) That after the fair is organized, the playground shall be handed over to the Principal of the aforesaid school 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 fair on 17.6.2022.
- 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 toilets of the school meant for students and staff shall not be allowed to be used by the general public attending the fair and the applicant shall make proper arrangements of the toilets for the visitors and general public attending the fair.
- v) That the law and order shall be maintained by the local administration during the said period.
- vi) That the applicant shall deposit a sum of Rs. 11,000/- in the Students Welfare Fund of the school.

The application stands disposed of.

CMP No. 7299 of 2022



2017:HHC:8177-DB

The application is allowed and the translated copies of the requisite Annexures be filed within four weeks. The application stands disposed of.

(Tarlok Singh Chauhan)
Judge

(Satyen Vaidya)
Judge

June 14, 2022
(Kalpana)