



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

CMP No. 8056 of 2022
in
CWPIL No.146 of 2017.

27.06.2022. Present: Court on its own motion.

Mr. Dhananjay Sharma, Advocate vice. Mr. Atul Kumar, Advocate, for the applicant in CMP No. 8056 of 2022.

Mr. Ashok Sharma, Advocate General with Mr. Adarsh Kumar Sharma, Ms. Ritta Goswami, Mr. Nand Lal Thakur, Mr. Vikas Rathore and Mr. Vinod Thakur, Additional Advocate Generals, for the respondents-State.

CMP No. 8056 of 2022.

Applicant-Om Prakash has filed the present application seeking permission of this Court to organize “Khel Mahakumbh” (Anti Drug Campaign) function for seven days with effect from 04.07.2022 to 10.07.2022 in Government Senior Secondary School, Rampur Bushehar, District Shimla, H.P.

2. Learned counsel for the applicant has averred that there is no other suitable place at Rampur to convene the “Khel Mahakumbh” (Anti Drug Campaign) for the local people of Rampur. The event is to be organized to sensitize the youth of the State against drug menace and other social issues. The theme of the event of “Khel Mahakumbh” is “Nasha Mukh Himachal Swasth Himachal”. The Principal of the school has issued no objection certificate. It has also been mentioned in the certificate that studies of students of the school will not suffer as the school is closed for summer vacation on the day the competition is to be organized.



-2-

3. In the facts and circumstances of the case, the application is accordingly allowed. Applicant is permitted to organize “Khel Mahakumbh” (Anti Drug Campaign) function for seven days with effect from 04.07.2022 to 10.07.2022 in Government Senior Secondary School, Rampur Bushehar, District Shimla, H.P. However, the same will be subject to the following conditions:-

- (i) That no damage shall be caused to the property of the school and its playground where the “Khel Mahakumbh” (Anti Drug Campaign) is proposed to be organized.
- (ii) That after the “Khel Mahakumbh” (Anti Drug Campaign) is organized, the playground shall be handed over to the Principal of the school aforesaid 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 event.
- (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 people visiting “Khel Mahakumbh” (Anti Drug Campaign) and the applicant shall make proper arrangement of the toilet(s) for visitors.
- (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.



-3-

The application stands disposed of.

CMP No. _____ of 2022.

It be registered.

Applicant has filed the instant application seeking permission of this Court to use the school ground of Government Middle School, Ghandalwin, Tehsil Ghumarwin, Distt. Bilaspur (H.P.) for inauguration ceremony of newly opened Govt. Degree College Ghandalwin, Distt. Bilaspur, H.P. and public meeting by the Hon'ble Chief Minister of Himachal Pradesh on 27.06.2022 on the ground that there is no other suitable place available for the said purpose and the educational institutions are closed due to summer vacation with effect from 22.06.2022. It is further averred that 'NOC' has been issued by the Principal, Govt. Senior Second Secondary School, Marhana, District Bilaspur, H.P. and it has also been averred that the studies of students of the said Govt. Middle School, Ghandalwin will not be made to suffer due to use of school ground on account of closure of school these days.

2. In the given facts and circumstances of the case, the application is accordingly allowed. Consequently, the applicant is permitted to run the classes of newly opened Govt. Degree College, Ghandalwin, Distt. Bilaspur, H.P. on temporary basis till the construction of new College Building and to use the school ground of Government Middle School, Ghandalwin, Tehsil



-4-

Ghumarwin, Distt. Bilaspur (H.P.) for inauguration ceremony of newly opened Govt. Degree College Ghandalwin, Distt. Bilaspur, H.P. and public meeting by the Hon'ble Chief Minister of Himachal Pradesh on 27.06.2022, subject to the following conditions:-

- (i) That no damage shall be caused to the property of the school and its playground where the inauguration ceremony is to be done.
- (ii) That after the inauguration ceremony is organized, the playground shall be handed over to the Principal of the school aforesaid 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 event.
- (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 people visiting the inauguration ceremony and the applicant shall make proper arrangement of the toilet(s) for visitors.
- (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. 8057 of 2022.

Allowed and disposed of.

(A. A. Sayed)
Chief Justice

(Tarlok Singh Chauhan)
Judge

June 27, 2022. (krt)