



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

**CMP Nos. 13460 to 13465 of 2022 in
CWPII No. 146 of 2017**

CMP Nos. 13460 & 13461 of 2022

22.09.2022 Present: Mr. Shivam Prashar, Advocate, for the applicant.
Mr. Adarsh K Sharma, Additional Advocate General, for the respondent-State.

CMP No. 13462 of 2022

Mr. Deepak, Advocate vice Mr. Narender Singh Thakur, Advocate, for the applicant.
Mr. Adarsh K Sharma, Additional Advocate General, for the respondent-State.

CMP No. 13463 & 13464 of 2022

Mr. Malay Kaushal, Advocate, for the applicant.
Mr. Adarsh K Sharma, Additional Advocate General, for the respondent-State.

CMP No. 13465 of 2022

Mr. Deepak Kaushal, Advocate for the applicant.
Mr. Adarsh K Sharma, Additional Advocate General, for the respondent-State.

CMP No. 13460 of 2022

This application is filed by one Sh. Om Prakash.
The learned counsel for the applicant states that the application is filed by the said Om Prakash on behalf of Ram Leela Club, Rampur Bushehar for organizing Ram Leela function from 23rd September to 6th October, 2022 in the



premises of Government Senior Secondary School, Rampur Bushehar, District Shimla, H.P.

2. It is contended by the learned counsel for the applicant that there is no other suitable place to organize the said Ram Leela function. It is stated in the application that the ground of the school would be used after school hours, between 07.00 p.m. to 10.00 p.m. on the aforesaid dates.

3. The learned counsel for the applicant submitted that the Principal of the School has granted No Objection Certificate, which is annexed as Annexure P-1. It is pointed out that the said permission was granted on earlier occasions also.

4. In the circumstances, we allow the application subject to the following conditions:-

- (i) That no damage shall be caused to the property of the school and its playground, where the event is proposed to be organized.*
- (ii) That after the event is over, 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 law and order shall be maintained by the local administration during the said period.

(v) That the applicant shall deposit a sum of Rs.11,000/- in the Students Welfare Fund of the School concerned.”

5. The application to stand disposed of.

CMP No. 13461 of 2022

6. Allowed and disposed of.

CMP No. 13462 of 2022

7. This application is filed by one Smt. Reeta Ghankrokta, Pradhan, Gram Panchayat Kalinda Matiana, Development Block Theog, Tehsil Theog, District Shimla. H.P. to organize Woman Sports and Cultural Programme in the playground of Government Senior Secondary School Matiana, Tehsil Theog, District Shimla. H.P. on 05.10.2022.



8. It is submitted that such programme is organized by the Gram Panchayat for last many years. It is pointed out that 05.10.2022 is a Holiday and the school would be closed. No objection Certificate of the Principal of the School is annexed as Annexure A-2.

9. In the circumstances, we allow the application subject to the following conditions:-

(i) That no damage shall be caused to the property of the school and its playground, where the event is proposed to be organized.

(ii) That after the event is over, 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.



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(iv) *That the law and order shall be maintained by the local administration during the said period.*

(v) *That the applicant shall deposit a sum of Rs.11,000/- in the Students Welfare Fund of the School concerned.”*

The application to stand disposed of.

CMP No. 13463, 13464 & 13465 of 2022

List on **26.09.2022**.

**(A.A. Sayed)
Chief Justice**

22nd September, 2022
(*priti*)

**(Jyotsna Rewal Dua)
Judge**