

Court No. - 40

Case :- WRIT - C No. - 40353 of 2023

Petitioner :- Bethel House Of Prayer

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Vandana Henry,Patsy David

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Surendra Singh-I,J.

1. Heard Ms. Vandana Henry, learned counsel for the petitioner and learned Addl. Chief Standing Counsel for State respondents.

2. Bethel House of Prayer through its Managing Trustee Mr. Abhishek Kumar has approached this Court for quashing the report dated 9.6.2023, whereby the respondents had restrained the petitioner not to conduct religious congregation in the registered office of the trust.

3. The petitioner claims to be public trust established in the year 2022. The said trust was established to work under the framework of its bye-laws and aimed at carrying out welfare, charitable and all such lawful acts as shall be found necessary and incidental to the achievement of the object of the trust. The said trust is working at Plot No.444, measuring 125.4 sq. mtrs. situated at Village Rampur, Pargana and Tehsil Sadar, Distt. Muzaffar Nagar. The allegation is levelled against the respondents that they are interfering in religious prayers of the petitioner, which is nothing but an injury to the fundamental rights of the members of the trust as per Art.25, 26, 27 and 28 of the Constitution of India. It is claimed that the petitioner society approaches to the District Magistrate and the Superintendent of Police for redressal of his grievance but no action has been taken on it.

4. Per contra, learned Addl. Chief Standing Counsel has vehemently opposed the writ petition and submitted that the State has received serious inputs regarding allegation of conversion and only, thereafter, looking to the law and order situation, the restriction was imposed.

5. Considering the facts and circumstances of the case, we find that holding of religious prayer is not violative of any law that has been shown to us. Under the Constitution every citizen has a right to practice and perform his faith and religious congregation that is, of

course, subject to public order. Accordingly, the writ petition stands **disposed of** with observation/ direction to the District Magistrate, Muzaffar Nagar to consider the grievance of the petitioner but certainly considering that such religious ceremony/prayer does not cause public disorder or inconvenience to others.

Order Date :- 7.12.2023

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