Court on its own motion vs. State of H.P. and others

CMP No. 31570 of 2025, CMP No. 31735 of 2025 & CMP No. 31734 of 2025 in CWPIL No. 146 of 2017

CMP No. 31570 of 2025

24.12.2025 **Present:** Court on its own motion.

Mr. Arsh Rattan, Deputy Advocate General, for the applicants/State.

CMP No. 31735 of 2025

Mr. Mukesh Sharma, Advocate, for the applicant.

Mr. Arsh Rattan, Deputy Advocate General, for the respondents/State.

CMP No. 31734 of 2025

Mr. Surinder Prakash Sharma, Advocate, for the applicant.

Mr. Arsh Rattan, Deputy Advocate General, for the respondents/State.

CMP No. 31735 of 2025 in CWPIL No. 146 of 2017

This application has been filed by the applicant on the ground that cricket tournament is to be organized in the School Playground of Government Senior Secondary School, Dutttnagar, Shimla. w.e.f. 01.01.2026 to 08.01.2026. The permission is, thus, sought in terms of the earlier orders passed on 11.12.2017 in CWPIL No.146 of 2017, whereby, restraints have been put not to use the Educational Institutions, including School(s)/ College(s) premises for activities, other than educational and co-

curricular activities necessary in the interest of the students.

The “NOC” to this effect obtained from the concerned Principal dated 31.12.2024, has also been enclosed. However, NOC has been given for conducting the event/cricket tournament on 25.12.2025 (Gazetted holiday), 28.12.2025 Sunday, 01.01.2026 to 08.01.2026 (Winter Break), 10.01.2026 (Second Saturday) and 11.01.2026 (Sunday).

It is submitted that on account of paucity of space of other open ground for organizing any sports activities, this application has been filed.

It has been submitted by learned counsel for petitioner that though the dates, for which permission is required, have not been mentioned due to ministerial mistake, however, permission be granted as per the dates mentioned in NOC of the Principal.

Notice. Mr. Arsh Rattan, learned Deputy Advocate General, accepts notice on behalf of the respondents.

Learned Deputy Advocate General has confirmed the veracity of the aforesaid “NOC”.

Accordingly, permission as prayed, is granted for 25.12.2025 (Gazetted holiday), 28.12.2025 Sunday, 01.01.2026 to 08.01.2026 (Winter Break), 10.01.2026 (Second Saturday) and 11.01.2026 (Sunday) and the

application is accordingly allowed, subject to adhere to the following conditions in terms of the orders passed on 30th September, 2021 in CMP No.1176 of 2021, which read as under:-

> *"i) That the playground shall not be damaged and any garbage that is created (sic...generated) during the function [will] be got [sic] cleared by the concerned authorities;*
>
> *ii) That no loss shall be caused to the property of the School and also the ground,where the function is proposed to be organized;*
>
> *iii) That the order passed in CWPIL No. 146 of 2017 shall be complied with strictly;*
>
> *iv) That the school premises shall be kept neat and clean and no disturbance [sic...would be] caused to the academic atmosphere of the school;*
>
> *v) That the law and order shall be maintained by the administration during the said period; and*
>
> *vi) That organizers shall deposit Rs. 20,000/- in the Students Welfare Fund of the school, before commencement of the tournament.*
>
> The application is disposed of in above terms.

CMP No. 31734 of 2025 in CWPIL No. 146 of 2017

This application has been filed by the applicant, seeking permission to organize All India Mixed Martial Art Event in Himachal Pradesh in the premises of RRKM Government Senior Secondary School, Nogli, District Shimla, H.P. w.e.f. 26.12.2025 to 28.12.2025.

Prayer has been made to grant permission in terms of order passed on 11.12.2017 in present writ petition, i.e., CWPIL No. 146 of 2017, whereby restrains have been put not to use the Educational Institutions, including School(s)/College(s) premises for activities, other

than educational and co-curricular activities, necessary in the interest of students.

It has been submitted on behalf of the applicant that event is related to overall development of personality of the students and organization of such event shall engage the students to learn mix martial arts, which will be beneficial for their future perspectives and organization of such events shall also keep the students and youth away from the addiction of drugs etc.

No objection dated 05.12.2025 issued by the Principal of the concerned school is enclosed with the application as Annexure A-2.

Registration of applicant as a society under Himachal Pradesh Societies Registration Act, 2006 has been placed on record as Annexure A-1 along with application.

It has been submitted that on account of paucity of space of open ground to organize such activitty, other than the school ground, where it has been proposed to be organized, this application has been filed, seeking permission of the Court to organize the same.

Mr. Arsh Rattan, Learned Deputy Advocate General, accepting notice on behalf of the respondents, has confirmed the veracity of the no objection certificate, issued by the concerned Principal.

Accordingly, the prayer made in the application is allowed, subject to adhere to the following conditions in terms of the orders passed on 30th September, 2021 in CMP No.1176 of 2021, which read as under:-

> *"i) That the playground shall not be damaged and any garbage that is created (sic...generated) during the function [will] be got [sic] cleared by the concerned authorities;*
>
> *ii) That no loss shall be caused to the property of the School and also the ground,where the function is proposed to be organized;*
>
> *iii) That the order passed in CWPIL No. 146 of 2017 shall be complied with strictly;*
>
> *iv) That the school premises shall be kept neat and clean and no disturbance [sic...would be] caused to the academic atmosphere of the school;*
>
> *v) That the law and order shall be maintained by the administration during the said period; and*
>
> *vi) That organizers shall deposit Rs. 20,000/- in the Students Welfare Fund of the school, before commencement of the tournament.*
>
> The application is disposed of in above terms.

CMP No. 31570 of 2025 in CWPIL No. 146 of 2017

As prayed by learned Deputy Advocate General, this application is adjourned for consideration on **31.12.2025,** before appropriate Bench, so as to enable the applicant/State to place on record certain documents, which, according to the State, are necessary for seeking permission.

(Vivek Singh Thakur)
Judge

(Jiya Lal Bhardwaj)
Judge

December 24th, 2025.
(Susheel)