

Item No. D-13 **Court on its own motion Vs. State of Himachal Pradesh and others.**

CMPs No. 21841 and 22529 of 2026, in CWPIL No. 146 of 2017

01.09.2026 Present: **CMP No. 21841 of 2026**

Mr. Nand Lal Thakur, Advocate, for the applicant.

Mr. Arsh Rattan, Deputy Advocate General, for the non-applicants.

CMP No. 22529 of 2026

Ms. Anu Tuli, Advocate, for the applicant.

Mr. Arsh Rattan, Deputy Advocate General, for the non-applicants.

CMP No. 21841 of 2026

The present application has been filed seeking permission to organize the traditional District Level Nalwar Fair, Lambathach, from 07.09.2026 to 15.09.2026 in the earmarked area/premises of Government College Seraj, Lambathach, District Mandi, H.P.

2. Keeping in view the order dated 22.09.2017, passed by the Coordinate Bench, in which direction had been issued that no activity other than the one connected with the educational affairs of the institution shall be carried out in any of the campuses, meant for imparting teaching to students, be it a primary, secondary, higher or college levels and the fact that the fair is to be organized for a very long period and, therefore, studies of the students of the said institute will be affected, we do not deem it fit to allow the present application.

3. Faced with this situation, counsel for the applicant submits that he wants to withdraw the present application.

4. Accordingly, the application is dismissed as withdrawn.

CMP No. 22529 of 2026

5. The present application has been filed seeking permission to organize the religious/traditional fair of Krishan Janamasthami Mela, Mangarh in the play ground of Government Senior Secondary School Mangarh, Tehsil Pachhad, District Sirmaur, H.P., on 06.09.2026 and 07.09.2026
6. It has been pointed out that 06.09.2026 is Sunday and the ground as such, is located across the road.
7. No Objection Certificate has also been given by the School Management Committee, Government Senior Secondary School, Mangarh, providing that there will be no disturbance for school activities during Mela, subject to compliance with all applicable rules, safety requirements and instructions of the competent Authorities.
8. The organizers, Youth Club Members, Gram Panchayat Pradhan and the whole elected body have also undertaken vide Annexure A-3 that no disturbance will be caused to the school studies and the playground will be cleared after the Mela.
9. Counsel for the applicant has also placed on record the photographs, which shows that the ground is located across the road.
10. In such circumstances, keeping in view the peculiar facts and 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 that one permissible under the law. The administration shall ensure that the playground is cleaned after the event.

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

(iv) That the applicant shall deposit a sum of Rs.10000/- in the Students Welfare Fund of the school concerned.

11. Application stands disposed of accordingly.

(G.S. Sandhawalia)
Chief Justice

(Chirag Bhanu Singh)
Judge

September 01, 2026
(Shivank Thakur/Subhash)