

**Court on its own motion Vs. State of HP
and Ors.**

**CMP No.23711 of 2026 &
CMP No.23714 of 2026 in
CWPII No.146 of 2017**

**Item No.S-4
14.09.2026**

Present: Mr. Servedaman Rathore, Advocate, for the applicant in CMP No.23714 of 2026.

Mr. Arsh Rattan, Deputy Advocate General, for the applicant/respondents/State in CMP No.23711 of 2026.

CMP No.23711 of 2026

Present application has been filed for permission to use the playground premises of Government Senior Secondary School (Boys), Sarahan, Sub-Division Pachhad, District Sirmour, Himachal Pradesh, for organizing Sports activities during Mela Vaman Dwadshi Sarahan, from 23.09.2026 to 25.09.2026.

2. The application has been filed by the Deputy Commissioner, District Sirmour, Himachal Pradesh, on account of the request received from Youth Club Pachhad [Annexures R-2 and R-3], for organizing Kabbadi and other sports events (apart from Kushti, which is to be held at the main venue). It is further mentioned that the Principal of the school has issued a 'No Objection Certificate' and one of the dates, i.e. 23.09.2026, has already been declared a holiday on account of the fair [Annexure R-8]. The Kushti Ground, which is the main

venue of the Mela, is more than 100 meters away from the school premises.

3. Keeping in view the restraint order dated 11.12.2017 passed in the main case by this Court and the fact that the playground is primarily used for sports activities, and further that the Principal's Certificate records that the students themselves are participating in such activities under the theme "Fit India Movement – Khelega India, Aage Badhega India," which would encourage extra-curriculum activities, we are of the considered opinion that the playground can be permitted to be used for the present purpose.

4. Accordingly, we allow the present application with a direction to the Principal concerned that the premises shall be strictly used for sports activities only and not for the purpose of the Mela or the Kushti, subject to the following conditions:

- i. That no damage shall be caused to the property of the school and its playground, where the sports activities are proposed to be organized.
- ii. That after the event is organized, the playground shall be handed over to the Principal of the aforesaid school 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, organizers and Youth Club shall ensure that the playground is cleaned after the event.

- iii. That the toilets of the school meant for students and staff shall not be allowed to be used by the general public attending the event and the applicant shall make proper arrangements of the toilets for the visitors and general public attending the ceremony.
- 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.20,000/ in the Students Welfare Fund of the school concerned.

5. The Organizers shall also ensure that the event takes place in a peaceful atmosphere and they would be responsible, if any, untoward incident happens.

6. The application stands disposed of.

CMP No.23714 of 2026

This application has been filed on behalf of Shree Brahma Natak Club Surla, District Sirmour through its Manager Sh. Rajeev Bhardwaj, for organizing 'Ram Leela' function at Government Senior Secondary School Surla, District Sirmour, after school timings from 11.10.2026 to 21.10.2026.

2. It has been stated that the said Mahotsav has been celebrated in the playground of the said school since last 60 years and the Stage was also donated by Shree Brahma Natak Club Surla, District Sirmour.

3. The necessary Resolution as such has been appended along with 'No Objection Certificate' regarding the same.

4. Notice. Mr. Arsh Rattan, Deputy Advocate General, appears and accepts service of notice on behalf of the respondents-State.

5. Keeping in view the above, we permit the School premises to be used for the said purpose only to organize the 'Ram Leela' for the said dates in question and between 08.30 p.m. to 12.00 p.m., as prayed for. It is made clear that Ravan Dahan and burning of the effigy will not be permitted in the School premises and permission for organizing the 'Ram Leela' is 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 law and order shall be maintained by the local administration during the said period.
- iv. That the applicant shall deposit a sum of Rs.20,000/- in the Students Welfare Fund of the School concerned."

6. The application is accordingly disposed of.

(G.S. Sandhawalia)
Chief Justice

(Bipin C. Negi)
Judge

14th September, 2026
(Gaurav Rawat)