

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.37693 of 2015

ORDER:

The prayer of the petitioner–Club is as under:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue any appropriate Writ, Order or direction, more particularly in the nature of Writ of Mandamus declaring the action of the respondents herein closing down the petitioner’s club on the ground of it is social activity act in accordance with law and direct the respondents not to interfere or obstruct in any manner the petitioner to organize and conduct rummy game of thirteen cards game of stake and syndicate in the petitioner’s club premises as the same is illegal contrary to law, arbitrary, without jurisdiction, violation of principles of natural justice and pass such other order or orders as the Hon’ble Court may deem fit and proper in the interest of justice.”

2. The issue raised is no longer *res integra* as this Court had an occasion to render judgment on this very issue as recently as on 29.10.2015 in a batch of cases. The said order passed in W.P.Nos.30597 of 2014 and 22428 & 121 of 2015 is placed on record.

3. For reasons alike as were stated in the aforesaid order and in terms thereof, this writ petition is disposed of with the following directions:

1. The respondent police authorities shall not interfere with the card game of rummy (13 card game) whatever be the stakes;
2. The petitioner shall install video cameras and record the entire recreational activities in the resort and preserve the said data at least for a period of fortnight so that the police can check the footage. The said C.C. cameras shall be connected with the jurisdictional police station and the Office of the Superintendent of Police for observation by the police to find out as to whether members of the Club are

indulging in the activity of gambling. If any of the gaming places is not covered by C.C. cameras, it is for the police to take action.

3. The police are entitled to enter into the premises of the petitioner's Club for taking action as per law in the event of there being any violation of the provisions of law by the petitioner and the petitioner shall not cause any hindrance to the police in exercising their statutory powers; and
4. This order would not come in the way of the respondents from taking action as per law.
5. Any deviation of the above guidelines by the petitioner's resort will be construed as violation of these orders."

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

December 28, 2015
LMV