

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.1400 of 2016

ORDER:

The prayer of the petitioner–Club is as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring that the action of the respondents in not allowing the Members of the petitioner’s club to play Game of Rummy (13 cards) in cards room fixed with automatic cameras and also under the supervision of a respectable person nominated with consent of the petitioner and the respondents and declare the action of the respondents in stopping the members of the petitioner’s club from playing game of rummy (13 cards) in cards room is highly arbitrary, bad and illegal and pass such other order or orders as deem fit and proper.”

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 Club 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 Trust 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

February 4, 2016
LMV