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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ LPA 298/2016

DR JAGDISH PRASAD GAUR

..... Appellant

Through: Mr.S.D. Singh with Mr.Anurag
Kishore and Mr.Rahul Kumar Singh,
Advs.

Versus

THE SECRETARY GENERAL, RAJYA SABHA
& ORS

..... Respondent

Through: Nemo.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **11.05.2016**

CM No.17815/2016 (*exemption*)

Allowed, subject to all just exceptions.

CM Nos.17816-17817/2016 (*delay*)

In the facts and circumstances explained in the applications, delay in filing/refiling the appeal is condoned and the applications are disposed of.

LPA 298/2016

1. The appellant/writ petitioner was barred from entering Parliament House Complex and aggrieved by the same, he filed W.P.(C) No.117/2016. By the order under appeal, the said writ petition was dismissed observing as under:-

"4. In the opinion of this Court, the entry into the Parliament House is in the nature of privilege and it is open to the Secretariat of the Two Houses to regulate the entry therein. After all, the Parliament House is not a public thoroughfare and the petitioner has no unfettered right to

enter the same.

5. In the present case, after conducting discreet enquiries, it was found that the petitioner was in the habit of interfering in the official functioning, intimidating and abusing the officers of the Secretariat as well as the allied agencies working in the Parliament House.

6. Since the decision to ban the petitioner's entry into the Parliament House Complex has been taken by the Senior Officers of the Rajya Sabha Secretariat, and that too, in consultation with the Member of the Parliament for whom the petitioner was working, this Court finds no ground to interfere with the impugned order. "

2. Having heard the learned counsel for the appellant and having regard to the admitted fact that the appellant sought entry into the Parliament House Complex in the capacity of Personal Assistant to a Member of Parliament and that the said Member of Parliament was consulted before passing the impugned order, we are of the view that the learned Single Judge is justified in declining to entertain the writ petition.

3. However, it is made clear that this shall not preclude the appellant/writ petitioner to make a fresh request for entry pass in case necessity thereof arises.

4. The appeal is accordingly disposed of.

CHIEF JUSTICE

JAYANT NATH, J

MAY 11, 2016/pmc