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

+ W.P.(C) 1990/2015 & C.M.Nos.3566/2015, 14329/2015

R.D. SHARMA AND ORS.

..... Petitioners

Through None

versus

THE DEPUTY COMMISSIONER OF POLICE AND ORS.

..... Respondents

Through Mr.Satyakam, ASC for R-1/GNCTD.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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21.01.2016

None is present for the petitioners. No pass over has also been sought.

Consequently, this Court has no other option, but to proceed ahead with the matter.

It is pertinent to mention that the present writ petition has been filed complaining of noise pollution caused by a banquet hall situated in the premises of Shri Hanuman Mandir Nirman Samiti, East Azad Nagar, Delhi.

Learned Standing Counsel for Delhi Administration has today in Court handed over a copy of status report on behalf of the Police. The same is taken on record. In the status report, it is stated as under:-

“In this connection, it is submitted that the complainant has filed various complaints from time to time i.e. from the period of 2012 till 21.02.2015 in PS-Krishna Nagar, Delhi regarding noise pollution at Banquet Hall in the premises of Hanuman Mandir Nirman Samiti, East Azad Nagar, Delhi. As per record kept at police station Krishna

Nagar, the local police on receiving complaint through PCR regarding noise pollution caused by D.J. had either taken into possession the D.J. or made the organizer to close it. After my joining as SHO/Krishna Nagar on 08/10/2015, I have directed the Division and Beat staff to act promptly on receipt of such complaints in future.

In addition to it, the Pradhan of Shri Hanuman Mandir Nirman Samiti namely Shri Sitaram was issued a notice wherein he was directed to restrain playing of music beyond the permissible decibel limits. Shri Sitaram has given his reply wherein he has mentioned that the playing of D.J. and loud speaker is prohibited in the premises of Shri Hanuman Mandir Nirman Samiti and they were permitting other musical instruments in their religious programs as per the guideline of the Hon'ble Supreme Court of India. They have also submitted the photographs of the boards and bills of Shri Hanuman Mandir Nirman Samiti on which it is clearly mentioned that the running of D.J. is prohibited."

In view of the aforesaid status report, the present writ proceedings are closed.

However, the SHO, Krishna Nagar is directed to ensure that no loud music is played in the banquet hall alleged to be operating from Shri Hanuman Mandir Nirman Samiti, East Azad Nagar, Delhi, in contravention of Supreme Court's guidelines and Noise Pollution (Regulation and Control) Rules, 2000 as well as the judgment of this Court in ***Madhav Roy Vs. Union of India & Ors., W.P.(C) 7942/2011.***

With the aforesaid directions, the present writ petition and the applications are disposed of.

MANMOHAN, J

**JANUARY 21, 2016
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