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

+ W.P.(CRL) 28/2017

TRILOKPURI SAI DHAM MANDIR TRUST (REGD)

..... Petitioner

Through: Mr. Avadh Kaushik, Advocate

versus

STATE (NCT OF DELHI) & ORS

..... Respondent

Through: Mr. Rahul Mehra, Standing Counsel,
GNCTD with Mr. Jamal Akhtar, Adv.
wit SI Bangali Babu, PS Mayur Vihar

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

04.01.2017

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Crl. M.A. No.154/2017

Exemption allowed, subject to all just exceptions. The application stands disposed of.

W.P.(CRL) 28/2017

Issue notice. Notice is accepted on behalf of the State by Mr. Mehra. The petitioner has preferred the present writ petition to seek a direction to the respondent police authorities to provide adequate and sufficient protection to, what is claimed to be, "*petitioner's ensuing annual function going to be organised on 06.01.2017 at the Om Sai Dham Mandir, Trilokpuri, Delhi;*". The other prayers made in the petition stem out of this primary prayer.

The petitioner has approached this court at the eleventh hour. The celebration/ procession is due to be held on 06.01.2017, and 05.01.2017 is a

holiday. There is no explanation by the petitioner as to why this petition has not been filed sufficiently in advance.

A perusal of the petition itself shows that there appears to be two groups claiming the right to perform pooja/ celebrations and take control over the temple in question. The feeling that the court gets that there is a possibility that under the cover of the orders obtained from this court in the present petition, the petitioner may be seeking to take control over the temple. However, it could also be that the petitioner may be in control of the said temple, as claimed by it.

Be that as it may, if one and/or the other group were to hold procession/ celebrations within the temple premises in compliance of law, there cannot be any impediment in doing so in law. Since it is claimed by the petitioner that on 6th January every year the annual function is held at the said temple, without going into the issue as to who has been holding the same, the respondent no.3 i.e. SHO Mayur Vihar Phase-I (East District) is duty bound and is, therefore, directed to ensure that proper peace and order is maintained during the time any such procession, celebration or function is held.

The SHO is directed to make an assessment of the local situation and take such steps as may be considered necessary to maintain peace and order in the area.

The petition stands disposed of in the aforesaid terms.

Order dasti under the signatures of the Court Master.

VIPIN SANGHI, J

JANUARY 04, 2017 sr