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

+ **W.P.(C) 8891/2018**

KARAN ANAND

..... Petitioner

Through: Mr Robin David, Mr Dhiraj Philip,
Mr Febin Mathew, Mr Tehmina
Arora, Ms Loreign Ovung, Mr
Sanbha Rum Nong, Mr Siju Thomas
and Mr Jaiwant Patankar, Advocates.

versus

COMMISSIONER OF POLICE AND ORS. Respondents

Through: Mr Sanjoy Ghose, Advocate for R-2.
Mr Ripu Daman Bhardwaj, CGSC
with Mr T. P. Singh, Advocate for R-
3/UOI.
Mr Sunder Khatri, Standing Counsel
with Mr Arpan Wadhawan,
Additional Standing Counsel for R-
4/NDMC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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24.08.2018

CM No.34198/2018

1. Allowed, subject to all just exceptions.

W.P.(C) 8891/2018 & CM No.34197/2018

2. Issue notice. The learned counsel appearing for the respondents accept notice.

3. The petitioner has filed the present petition, *inter alia*, impugning an

order dated 23.08.2018 (hereafter 'the impugned order') passed by the Deputy Commissioner of Police (respondent no.2) cancelling the 'No Objection Certificate' (NOC) issued to the petitioner for holding a conference at Talkatora Stadium from 25.08.2018 to 26.08.2018. The said permission was granted on 20.08.2018 and the petitioner asserts that all arrangements in regard to conducting the conference have been confirmed. It is stated that more than two thousand persons have already registered for the same.

4. Mr Ghose, the learned counsel appearing for respondent no.2 states that the said permission has been withdrawn, as the conference being organised by the petitioner may not be legal. He states that some of the participants are professing to perform miracles, which will fuel superstitions. He states that it is impermissible to hold such events. He further states that an FIR has been registered in the State of Maharashtra against Dr. P. S. Rambabu – one of the persons who is scheduled to perform at the event. He further states that the complaints have also been received against holding such events.

5. It is apparent from the above that there is no material to indicate that there is any law and order problem that will be caused by holding of the said event. Further, it is the duty of the police authorities to ensure that proper law and order is maintained. Although, it is stated that the activities sought to be performed at the conference are not permissible in law that is not the ground on which the NOC is cancelled. In view of the above, the impugned order is set aside and respondent no.2 is directed to ensure that adequate arrangements are made for maintaining law and order. It is clarified that if

any activity being performed at the event is illegal or contrary to law, the respondents would be well within its right to prosecute the offender(s) to the full extent of the law.

6. Mr Khatri, the learned counsel appearing for respondent no.4 (New Delhi Municipal Council – NDMC) states that respondent no.4 has also withdrawn its NOC that was granted by it earlier. The learned counsel appearing for the petitioner states that the same has not been communicated to the petitioner. The documents filed on record indicate that Talkatora Stadium – which this Court is informed is under the management of NDMC – had granted the permission to hold the event way back on 27.08.2018 on payment of the charges stated in the letter of that date. The management of Talkatora Stadium has also received a sum of ₹4,27,750/- as booking charges of Talkatora Stadium for two dates – 25.08.2018 and 26.08.2018. Concededly, NDMC had also issued its NOC.

7. Mr Khatri was asked to handover a copy of the order passed by NDMC withdrawing its NOC. Although, a copy of the order is not available, the learned counsel has read the contents of the same from the WhatsApp message received by him from the concerned authorities. Apart from stating that NDMC has cancelled the NOC, the said communication (as read out to this Court) provides no indication as to why NDMC has taken this decision. Clearly, such an order would be unsustainable, especially after NDMC has already collected the booking charges. Enquiry as to the purpose and suitability of letting out public premises is to be made at the time of accepting bookings and issuance of the NOC; the same cannot be revisited at the last hour unless there are any compelling reasons.

8. The petition is disposed of in the above terms. The pending application also stands disposed of.
9. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

AUGUST 24, 2018
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