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

+ **W.P.(C) 12028/2018**

PURVANCHAL CHAATH POOJA

SAMITI AND ANR.

..... Petitioners

Through Mr Bipin Kumar Jha, Advocate.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through Mr Ashim Sood, CGSC with Mr Rhythm B, Advocates for R1.

Mr Mananjay Mishra, Advocate with Mr Bharat, DCF for R2 to R4.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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02.11.2018

CM 46568/2018

1. Allowed, subject to all just exceptions.
2. The application is allowed.

W.P.(C) 12028/2018 & CM 46569/2018

3. The petitioner have filed the present petition, *inter alia*, praying as under:-

“Allow the present petition and issue the appropriate writ/order/direction to the respondents to remove/open the lock of the gate of Nagarvan Park , Sagar Pur, Delhi and allow the petitioner to organized the Chaath Pooja at Nagarvan Park, Sagarpur Delhi for a period of five days i.e. 10.11.2018 to 14.11.2018.”

2. The petitioner is, *essentially*, aggrieved by the action of respondent

nos. 2 and 3 (the Forest Department Government of NCT of Delhi) in not permitting the petitioners to organize “*Chhat Pooja*” at Nagar Van Park Sagarpur, Delhi.

3. Admittedly the said area is a part of the city forest. The learned counsel appearing for respondent nos. 2, 3 & 4 submits that the Forest Department has planted over four thousand trees in that area this year itself in an endeavour to preserve that area as a city forest, and therefore, access to the said area cannot be permitted for conducting *Chhat Pooja*.

4. Indisputably, congregation of a large number of persons to celebrate *Chhat Pooja* would obviously have adverse effect on flora in that area and trees planted by the Forest Department. Plainly, this cannot be permitted. This Court finds no ground to interfere with the decision of respondent nos. 2 and 3.

5. The petition is, accordingly, dismissed. The pending application is disposed of.

VIBHU BAKHRU, J

NOVEMBER 02, 2018

pkv