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

+ **W.P.(C) 5277/2018**

BHUWAN CHANDRA PANT

..... Petitioner

Through: Mr Manu Padalia, Advocate.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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23.05.2019

1. None appears for the respondents. It is seen that notice was accepted on behalf of the respondents on 16.05.2018 and time was sought to take instructions/file the counter affidavit. It is seen that the respondents have neither filed counter affidavit nor appeared today. This petition was also listed on 17.05.2019, however, none had appeared on behalf of the respondents on that date as well and in the interest of justice, the matter was adjourned to today.
2. In view of the above, the averments made in the present petition remain un-controverted.
3. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the respondents to permit the petitioner to nominate a nominee/representative for the purpose of taking still photographs inside the premises of the Taj Mahal, Agra, under the license issued to the petitioner.
4. The petitioner states that he has been issued a license to take

photographs inside the premises of the protected monument of the Taj Mahal. The said license had been initially valid for a period between 15.11.2009 to 31.10.2010, but has been extended from time to time. The petitioner states that he is 60 years old and suffers from 75% disability and therefore, is unable to take photographs for which he has been licensed. In this context, the petitioner prays that he be permitted to appoint a nominee/representative on his behalf to work on the said license.

5. Although this Court has certain reservations regarding the prayer sought, given the skilled nature of the work involved, the licence should in under normal circumstances be worked by the licensee. However, the petitioner states that as a matter of policy the respondents are permitting nominees of licensees to work such licenses.

6. The learned counsel appearing for the petitioner has referred to the response received under the Right to Information Act, 2005, on 07.03.2018, which indicates that 58 nominees are working in Taj Mahal.

7. In view of the above and considering that the averments made by the petitioner are not contested, the petition is allowed and respondent no.3 (Archaeological Survey of India) is directed to allow the petitioner to nominate his nominee/representative for taking photographs inside the Taj Mahal, in terms of the license granted to the petitioner.

VIBHU BAKHRU, J

MAY 23, 2019
MK