

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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2023:PHHC:075288-DB

Civil Writ Petition No.10986 of 2023

Date of Decision: May 24th, 2023

Resident Welfare Association, Block-E, Mohali

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Ritesh Aggarwal, Advocate
for the petitioner.

Mr. V.G. Jauhar, Additional Advocate General, Punjab.

Mr. G.S. Bhatia, Mr. J.S. Bhatia, Mr. Sachin Jain
and Mr. Harleen Singh, Advocates
for *Guga Mari*.

AUGUSTINE GEORGE MASIH, J. (ORAL)

In pursuance to the order passed by this Court on 22.05.2023,
the Deputy Commissioner, S.A.S. Nagar, Mohali, as also the
Senior Superintendent of Police, District S.A.S. Nagar, Mohali, are present.

2. Short reply by way of affidavit dated 23.05.2023 of the
Deputy Commissioner and affidavit dated 24.05.2023 of the
Senior Superintendent of Police, Mohali, have been filed in Court, which
are taken on record. Copy thereof has been supplied to the counsel for the
petitioner.

3. Mr. Bhatia, has put in appearance on behalf of the *Guga Mari*,
which is stated and admitted to be present within the premises of the
locality, where the petitioner-association exists. According to the affidavit,
which has been filed by the Deputy Commissioner, S.A.S. Nagar, Mohali,
the request for holding the *mela* has been kept in abeyance. As per the
arrangements sought to be made between the administration and *Guga Mari*

Dargah, Village Bakarpur, the application for permission of annual fair dated 28.05.2023 and 29.05.2023 has been forwarded to the concerned department. What has been informed is that it has been amicably worked out between the parties that a 4 acres land near the *Guga Mari* has been earmarked for the annual fair, which is to be held according to Mr. Bhatia on 27/28/29.05.2023. The Senior Superintendent of Police in the affidavit has clearly stated that the necessary infrastructure and the essential requirements would be made available including the toilets etc. The Deputy Commissioner also has accepted the said aspect and acknowledged the same.

4. An apprehension has been projected by the counsel for the petitioner with regard to the difficulty in the movement of traffic as also the loudspeakers, which are played at high pitch even at night.

5. Mr. Bhatia, on instructions, has stated that the loudspeakers would not be operational after 10:00 PM till 08:00 AM. It has further been stated by Mr. Bhatia that all efforts would be made that no inconvenience is caused to the public at large and especially the residents of the area.

6. An aspect which has been highlighted and pointed out by Mr. Bhatia is that marriages of 13 couples have been fixed for 27.05.2023 and those will have to be performed in the *Guga Mari* location. He states that not more than 200 people would be there. He states that the arrangement for the blood donation camp on 28.05.2023 would be made in the 4 acres plot, which has been earmarked for the *mela*.

7. Necessary permissions and arrangements shall be granted/made by the administration so that everything is carried out in a smooth manner without any disturbance.

8. Amicable resolution of this dispute between the parties having been carried out, we appreciate the efforts made by the administration as well as both the parties i.e. the petitioner and management of the *Guga Mari*. With the hope that the whole function will be held and concluded in best of the spirits cordially, we dispose of the present petition by binding the parties to the statement, as has been made by their respective counsel and recorded above in Court.

9. Copy of this order be given *dasti* to the counsel for the parties under signatures of Bench Secretary of this Court.

(AUGUSTINE GEORGE MASIH)
JUDGE

May 24th, 2023
Puneet

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No