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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11669/2024 & CM APPL. 53191/2024**

**ADARSH RAMLILA COMMITTEE THRO RAM KUMAR
RANA**Petitioner

Through: Mr. Kirti Uppal, Sr. Adv. with
Mr. Aditya Raj & Ms. Archisha
Satyarthi, Advs.

versus

DDA AND ANR.Respondents

Through: Ms. Manika Tripathy, SC with
Mr. Vansh Kalra, Advs.
Mr. J K Chawla, Mr. Vinay
Chadda & Mr. S C Bhardwaj,
Advs. for R2.
Ms. Monika Tripathy & Mr.
Vansh Kalra, Advs.

CORAM:
HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER
23.09.2024

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1. A short affidavit has been filed on behalf of respondent no.1/Delhi Development Authority ('DDA') and a counter affidavit has been filed on behalf of respondent no.2/Yamuna Kamal Club. Copies of the same have been exchanged between the parties.
2. Having heard the learned senior counsel appearing for the petitioner and the learned counsels for the respondents and on perusal of the record, the instant petition comes up for disposal.
3. Briefly stated, it is the case of the petitioner that in terms of the Standard Operating Protocol [**'SOP'**] dated 28.06.2024 brought about by the respondent no.1/DDA, the petitioner, upon paying the requisite



fee/charges, applied for the booking of an open space i.e., plot No. EZ 68c and EZ -68b, total area measuring 6585 sq. metres forming parts of parts of GTB ground, opposite GTB Hospital, Delhi, for conducting and organising a Ramleela, and the booking was confirmed by respondent no.1/DDA on 01.08.2024. The grievance of the petitioner is that they were shocked to receive a notice dated 05.08.2024 whereby the said booking was cancelled by the respondent no.1/DDA without assigning any reasons.

4. Mr. Kirti Uppal, learned senior counsel appearing for the petitioner, has urged that the respondent no.2, who has been allotted the aforesaid site, is not eligible to be given preference as per the SOP¹ because in the preceding year i.e., 2023, he had not applied for the booking of the open space through Online mode, as mandated by the SOP. It was vehemently urged that the condition laid down under sub-clause (2) of the SOP thereby providing that the sites would be allotted only to those societies/trusts which had been allotted the sites in the preceding year, amounts to monopolisation by such societies/trusts over the yearly religious events.

5. *Per contra*, Ms. Manika Tripathi, learned standing counsel for the respondent no.1/DDA has urged that the petitioner was not eligible

¹ “A. Procedure of Booking of Site for the purpose of Ramleela:

1. The Booking shall be done online only for all open spaces as well as parks through DDA website www.dda.gov.in as per the procedure already defined in existing policy dated 05.12.2019.

2. Societies/Trusts which were allotted sites in the preceding year, will be given preference for booking the same site for the year 2024.

3. Booking shall start on the website w.e.f. 01.08.24. The open spaces and parks which were booked in the preceding year for the purpose of Ramleela will be blocked for booking from 1st August to 14th August 2024 for the same allottees (Societies/Trusts) as in the year 2023. These Societies/Trusts will have to get the respective sites booked by 14th August, 2024 along with successful payment status.

4. Those sites which are not booked by the allottees for whom the sites will be kept blocked from 1st to 14th August, 2024, shall be open for online booking from 15.08.24 on first-come-first-served basis.”



for allotment of the space as it had not organized Ramleela on the said space even last year, therefore, the respondent no.2 is eligible and has rightly been allotted the site by virtue of Clause (2) of the SOP.

6. At the outset, the plea raised by learned senior counsel for the petitioner that a mere payment of the booking amount on 01.08.2024, as evidenced by the Challan forming part of Annexure P-1, would amount to confirmation of the booking, is not sustainable in law. The booking receipt itself indicates that “*Required space has been blocked subject to verification of documents and receipt of required payment*”. As was rightly pointed out by the learned counsel for respondent no.1/DDA, the respondent no.2 had applied for booking of the space on 06.08.2024, which was even ‘confirmed’, the screenshot of which confirmation has been placed on record as Annexure-R-2/A.

7. Thus, it is borne out that the respondent no.2 had applied online and for the fact that even last year, the same society/trust had organized Ramleela at the site, it was otherwise eligible *vide* Clause (2) of the SOP. The said aspect is brought out in the judgment dated 18.10.2023 delivered by this Court in W.P. (C) 12316/2023 titled *Yamuna Kamal Club v DDA*.

8. Therefore, the position that emerges is that although no reasons were assigned in the impugned cancellation letter dated 05.08.2024, the reasons for cancellation have been well explained during the course of arguments. To recapitulate, the petitioner was never confirmed the booking of the site and the respondent no.2 applied within time, therefore, the booking was confirmed in favour of the respondent no.2, who was eligible by virtue of Clause (2) of the SOP.

9. It would not be out of place to indicate that the constitutional validity of the SOP has not been assailed in the present writ petition.



Therefore, there is nothing to suggest that the allotment of the site in question to respondent no.2 by the respondent, DDA is arbitrary, or a wrongful exercise of its powers, or illegal in any manner.

10. Accordingly, the present petition is dismissed. The pending application also stands dismissed.

DHARMESH SHARMA, J

SEPTEMBER 23, 2024/pkv