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

+ **W.P.(C) 12418/2024**

**RAJEEV GANDHI JAN SEWA SAMITI THROUGH ITS
PRESIDENT SH. RAVI KUMAR**Petitioner

Through: **Mr. Satyendra Mishra & Mr.
Salman Saifi, Advs.**

versus

DELHI DEVELOPMENT AUTHORITYRespondent

Through: **Ms. Manika Tripathy, SC with
Mr. Rony John & Mr. Vansh
Kalra, Advs. for R-1/DDA with
Mr. Manohar SE (P&HQ)/DDA
& Mr. Manish Meena, EA to
CE (DWK)/DDA.**

**Mr. Sunil Satyarthi, Ms.
Archisha Satyarthi & Ms.
Amita Saxena, Advs. for R-2.**

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER
24.09.2024

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1. A short affidavit has already been filed on behalf of the respondent/DDA. A copy of the same has already been supplied to the learned counsel for the petitioner.
2. Learned counsel for the respondent no.2 viz. Jan Kalyan Mahila Samiti (Regd.), is also present.
3. Having heard the learned counsel for the parties and upon perusal of the record, the present petition comes up for final disposal.
4. The petitioner is invoking the writ jurisdiction of this Court under Article 226 of the Constitution of India, 1950, for a direction to the respondent/DDA for accepting the booking of the petitioner for conducting and organizing a Ramleela at DDA Open Space in front of



Matarani Mandir, Sector-1, Dwarka, New Delhi during the upcoming Dusshera festival in October, 2024.

5. Learned counsel for the petitioner has urged that the petitioner has been organizing Ramleela at the aforesaid DDA Open Space for the past several years, and even last year, although at the instance of Delhi Dharmik Mahasangh, the site was allotted to the respondent no.2, but in fact it was the petitioner who had organized the Rameleela at the said space. It was vehemently urged that even last year, i.e. 2023, the application of the petitioner was wrongfully rejected by the respondent no.1/DDA for allotment of the aforesaid site, and likewise, this year too, the respondent no.1/DDA has preferred the respondent no.2 over the petitioner, contrary to the Standard Operating Procedure [‘SOP’] dated 28.06.2024 framed by the respondent no.1/DDA.

6. It is pertinent to mention here that the petitioner had earlier filed W.P.(C) No.11326/2024 titled *Rajeev Gandhi Jan Sewa Samiti v. DDA*, seeking directions to the respondent no.1/DDA to accept the booking of the petitioner for conducting and organizing the Ramleela at the aforesaid open space. The said writ petition was disposed of *vide* order dated 16.08.2024, thereby directing that the said writ be considered as a representation on behalf of the petitioner and an appropriate decision be taken by the respondent no.1/DDA within ten days thereof, by passing a reasoned order after hearing the petitioner.

7. The petitioner is now aggrieved that *vide* letter dated 23.08.2024, the allotment of the said space, which was initially done in their favour, has since been cancelled and the site has now been arbitrarily, and with ulterior motives, allotted to the respondent no.2.

8. *Per contra*, Ms. Manika Tripathy has alluded to the short affidavit filed on behalf of the respondent no.1/DDA by Mr. Manohar



who is working as Superintendent Engineer (P&HQ), Dwarka DDA, whereby a tabular detail has been furnished regarding the allotment of the site in question since 2016, which is reproduced as under:-

S.No.	Time period	Name of Society	Name of Function
1.	20.09.2016 to 05.10.2016	Jan Kalyan Mahila Samiti (Regd.)	Ramleela
2.	08.10.2016 to 20.10.2016	Rajiv Gandhi Jan Sewa Samiti (Regd)	Ramleela
3.	13.09.2017 to 12.10.2017	Jan Kalyan Mahila Samiti (Regd.)	Ramleela
4.	03.10.2018 to 01.11.2018	Jan Kalyan Mahila Samiti (Regd.)	Ramleela
5.	18.09.2109 to 17.10.2019	Rajiv Gandhi Jan Sewa Samiti (Regd)	Ramleela
6.	15.09.2022 to 03.10.2022	Rajiv Gandhi Jan Sewa Samiti (Regd)	Ramleela
7.	05.10.2023 to 02.11.2023	Jan Kalyan Mahila Samiti (Regd.)	Ramleela
8.	10.09.2024 to 24.10.2024	Jan Kalyan Mahila Samiti (Regd.)	Ramleela

9. Upon a bare perusal of the aforesaid deposition, the position that emerges is that even last year, i.e. 2023, the site in question had been allotted to the respondent no.2 for conducting and organizing Ramleela. Unhesitatingly, the allotment of plot in favour of the respondent no.2 cannot be said to be arbitrary or a wrongful exercise of power in terms of the SOP, the relevant clauses of which are as under:-

- “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.”

10. Evidently, the open space in question has been allotted to the respondent no.2 as it was allotted the site in question in the preceding year i.e., 2023, for conducting and organizing Ramleela. The plea by the learned counsel for the petitioner that last year, their booking was wrongfully cancelled, cannot be accepted on its face since if that were the case, such decision on the part of the respondent no.1/DDA would have been challenged by the petitioner but evidently, the petitioner did not put the same to any challenge. Thus, the petitioner is failing to establish any legal right to allotment of the open space in question.

11. Accordingly, the present petition is dismissed.

DHARMESH SHARMA, J.

SEPTEMBER 24, 2024

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