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

+ **W.P.(C) 13739/2024**

SHRI NAV ADARSH KALA MANDALPetitioner

Through: Mr. Deepak Sharma, Mr.
Deepak Kumar and Mr. Shivam
Parashar, Advs.

versus

DELHI DEVELOPMENT AUTHORITY & ORS.

.....Respondents

Through: Mr. Tushar Sannu and Mr.
Hardik Saxena, Advs. for R-1.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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30.09.2024

CM APPL. 57515/2024 – EXMP.

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 13739/2024

3. The petitioner Shri Nav Adarsh Kala Mandal (*hereinafter referred as the 'Society'*), which is a registered Society, is invoking the writ jurisdiction of this Court under Article 226 of the Constitution of India, 1950, for issuance of an appropriate writ, order or directions to the respondent No.1 to cancel the booking made by the respondent No.3 on behalf of the respondents No. 4 and 5, and thereby allow the Society to arrange/conduct Ramleela Programme at Kamla Nehru Park, Old Subzi Mandi, New Delhi which is a DDA⁶ land.

⁶ Delhi Development Authority



4. Learned counsel for the respondent No.1/DDA is present on advance notice. However, no one is present on behalf of the remaining respondents.

5. The case of the Society is that it has been continuously conducting and organizing the Ramleela programme at the aforementioned park since 1995. It is stated that on 15.08.2024, the Society came to know that the DDA had initiated an online booking system for the DDA land. However, when the Society attempted to make a booking, they were shocked and surprised to discover that the land in question had already been booked by someone else. It is submitted that they have preferred their representations to His Excellency the Lieutenant Governor, Delhi, and also to a sitting Member of Parliament, and it is pointed out that their representation has also been backed by *Delhi Dharmik Sangh* but in vain.

6. First things first, this petition is filed on communal lines, which is utterly distasteful, as it suggests without any foundation that the site has been allotted to a society headed by a person of a different community. Anyhow, what ultimately works against the Society is its failure to apply online for the booking of the site in accordance with the SOPs dated 04.07.2024. These SOPs provided that Societies/Trusts that had been conducting or organizing events would be given priority, and online applications were invited between 01.08.2024 and 14.08.2024

7. At the cost of repetition, the Society failed to apply for the booking of the site within the time stipulated. The plea that the SOP was not notified by the Government is wrong and ill-conceived, as respondent No.1/DDA had published the same on its website. Therefore, the Society has neither a legal right to seek cancellation of



the booking done in favour of a third party nor it has any vested legal right to be allotted the site in question.

8. Accordingly, the present writ petition is dismissed.

DHARMESH SHARMA, J

SEPTEMBER 30, 2024/sm