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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 14867/2025, CM APPL. 61157/2025, CM APPL.61156/2025**
DUSSHERA COMMITTEE JANGPURA-B
TRUST REGD.THROUGH ITS AUTHORIZED PERSON

.....Petitioner

Through: Mr. Anup Kumar Das, Mr. Manish Bhardwaj, Mr. Karan Giri and Mr. P. Parvesh, Advocates.

versus

DISTRICT MAGISTRATE SOUTH EAST DISTRICT & ORS.

.....Respondents

Through: Mr. Shiven Varma, PC for GNCTD alongwith Mr. Rudraksh Mathur, Advs. for R1, R5 and R6.
Mr. Tushar Sannu and Mr. Paruin Bansal, Advocates for MCD.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **25.09.2025**

1. The present petition has been filed by the petitioner, a registered charitable Trust, seeking the following prayers:

“(a) Allow the present Writ Petition and Issue a Writ in the nature of Mandamus or any other appropriate to direct Respondent no.1 to give clearance for the conduct/celebration of Dusshera function/Rawan Dehan at MCD Park, Jangpura- B, opposite Radha Krishna Mandir on 02.10.2025 and also direct Respondent no.2 to not cancel the booking dated 27.08.2025 for the purpose of conduct/celebration of Dusshera function/Rawan Dehan at MCD Park, Jangpura- B, opposite Radha Krishna Mandir, New Delhi on 02.10.2025.

(b) Pass orders and directions against respondent no. 3 to 5 to grant NOC to the petitioner for conduct of the celebration and thereby restore the NOC granted by the respondent no. 5, which was withdrawn on 22.09.2025.

(c) Pass orders and directions to Respondent no. 6 to take action against the erring officer, who have acted in arbitrary and malicious



manner to favour some undisclosed entity under the pressure and influence of persons in power.”

2. It is submitted that the petitioner Trust was registered with the purpose of organizing and facilitating the celebration of Dusshera/ Rawan Dehan at MCD Park, Jangpura-B, opposite Radha Krishna Mandir, New Delhi. It is emphasised that Dusshera/Rawan Dehan celebrations have been conducted at the said venue for over 40 years. It is undisputed that the petitioner has been involved in conducting the said events in previous years.

3. It is submitted that for the purpose of celebrating Dusshera/Rawan Dehan on 02.10.2025, the petitioner submitted an application as far back as on 14.07.2025 for booking the aforesaid MCD Park by remitting the requisite fee to the respondent no.2/MCD. Subsequently, the petitioner also applied for a Police Clearance Certificate (PCC) on 04.09.2025.

4. It transpires that on 22.08.2025, the Deputy Commissioner, MCD, Central Zone granted approval for the booking of the aforesaid MCD Park in favour of the petitioner, subject to compliance with codal formalities. Pursuant thereto, the booking of the said venue was confirmed *vide* letter dated 27.08.2025, bearing reference No. ADH/CNZ/MCD/2025-26/1288, subject to the submission of requisite No Objection Certificates (NOCs) from the concerned departments. It is pertinent to note that the said NOC was provisional in nature.

5. Learned counsel appearing on behalf of the petitioner has emphasized that the petitioner has been organizing the concerned celebrations at the said venue in previous years. For the current year as well, the petitioner took proactive steps by submitting an application for booking the venue as early as 14.07.2025.



6. In the current year, the Government of Delhi introduced a single-window clearance system for obtaining NOCs from various departments, including the Delhi Fire Service, Delhi Police, and Delhi Traffic Police. While the petitioner successfully secured approval from the Delhi Traffic Police, the Police Clearance Certificate (PCC) and the NOC from the Delhi Fire Service could not be obtained.

7. The ostensible reason for the same appears to be that, subsequent to the petitioner's application dated 14.07.2025 for booking the venue, another organization/individual submitted application/s seeking permission/approval from the respondent no.5/Delhi Fire Service and the respondent no.3/Delhi Police. It is stated that on 06.09.2025, the Delhi Fire Service granted an NOC to another applicant, (who however did not have any booking in respect of the MCD Park in question).

8. It appears that an NOC was also issued to the petitioner by the Delhi Fire Service on 18.09.2025, which was purportedly withdrawn on 22.09.2025.

9. During the course of hearing, the learned counsel appearing for the Delhi Fire Service stated that permissions/NOCs are issued on first come first serve basis, without any site inspection; merely on the basis of undertakings furnished by the applicants.

10. As noticed, in the present case, the petitioner is the only entity which obtained a valid booking from the MCD for the conduct of the event at the aforesaid venue. However, in view of the confusion created on account of different authorities indiscriminately granting NOC/s to other applicant/s, a letter dated 18.09.2025 came to be issued by the MCD which reads as under:



“Date: 18.09.2025

To,
Sh. Mahinder Singh Dhir (President)
D-18, 1st Floor, Jangpura-B,
New Delhi-110014
Mob. 9999921991

Sub: Reminder for Submission of NOCs for Dusshera Celebration-Booking Cancellation Intimation.

Sir,

Kindly refer to this office letter No. 1288 dated 27.08.2025 regarding submission of the requisite NOCs for booking of the park for the Dusshera Celebration by the Dusshera Committee Jangpura-B Trust (Regd).

In this connection, it is to inform that a complaint has been received stating that the Jangpura Committee Jangpura-B Trust (Regd.) has not submitted any of the requisite NOCs from the concerned departments till date.

Accordingly, you are once again requested to ensure submission of all required NOCs latest by 22.09.2025 (Monday). Failure to submit the same within the stipulated period will result in automatic cancellation of the booking. In such an eventuality the booking amount shall be refunded, except the security deposit, which shall be forfeited.

This may be treated as the final reminder.”

11. It is evident that the aforesaid letter was occasioned by the grant of NOC by the Delhi Fire Service, in favour of an applicant who had failed to even secure a booking for the venue in question. On the other hand, as noticed, petitioner had taken prior, proactive steps in this regard.

12. In the circumstances it transpires that the only reason why the petitioner is sought to be precluded from organizing the concerned event/celebration is on account of want of approval by the Delhi Fire Service and Delhi Police. It is, however, apparent that the petitioner had duly initiated the process for obtaining the requisite approvals but the authorities were remiss in acknowledging the fact that petitioner evidently has a better right having undertaking the concerned event not only in previous years, but



having initiated proactive steps even in the current year (by booking the venue), prior to any other applicant.

13. Mr. Tushar Sannu, learned counsel for the MCD fairly submits that the cancellation of booking has been kept in abeyance on account of the pendency of the present petition.

14. In the circumstances, considering that the petitioner has a demonstrable right to hold the events in preference over other applicants, who took steps later in point of time (after the petitioner applied for booking of the venue in question), it is directed that the permission granted by the MCD on 27.08.2025 for the purpose of holding the concerned even/celebration shall continue to subsist.

15. Further, since the petitioner already has the NOC from the Traffic Police Department (a copy of which has been handed over during the course of hearing), the other departments i.e Delhi Police and Delhi Fire Service are requested to process the petitioner's request for grant of NOC expeditiously. Let the same be processed by the concerned department immediately (within a period of 2 days from today), given that the concerned event/celebration is proposed to be held on 02.10.2025.

16. It is also clarified that any NOC granted to any third party, shall no longer subsist and/or come in the way of granting requisite NOC/s to the petitioner.

17. The present petition stands disposed of in the above terms. Pending applications also stand disposed of.

18. Let a copy of this order be given *dasti* under the signature of the Court Master.

SEPTEMBER 25, 2025/at

SACHIN DATTA, J