Court on its own motion Vs. State of HP and Ors.

CMP Nos.28966 and 29321 of 2026 in CWPIL No.146 of 2017

Item No.S-4
04.11.2026 **Present**: M/s Nand Lal Thakur, Anita Thakur, Kiran Kumar, Advocates, for the applicant in CMP No.28966 of 2026.

Mr. Aditya Singh Thakur, Advocate, for the applicant in CMP No.29321 of 2026.

Mr. Gobind Korla, Additional Advocate General, for the respondents/State.

CMP No.28966 of 2026

The present application has been filed by the President of Gram Panchayat Thunag, Development Block Jajehli, District Mandi, HP for permission to use the old campus of Govt. Senior Secondary School, Thunag, District Mandi, HP for organizing District Level Deep Utsav Fair from 08.11.2026 to 11.11.2026.

2. Learned Counsel for the applicant submits that the said mela is an age-old traditional event organized annually for decades in memory and celebration of local heritage. It is submitted that the old campus ground of the school has historically been utilized for this purpose. Attention is drawn to the fact that the new school building/campus is situated at a distance of about one kilometer, and the conduct of the three-day event will not cause any disruption to academic activities.

3. It is further mentioned that the Principal of the school has issued a 'No Objection Certificate' [Annexure R-2].

4. Learned Additional Advocate General appearing for the State, on instructions, has verified the factual position and has confirmed that the assertions made in the application regarding the distance of the active school building and the non-disruption of academic activities, are correct. It has also been verified that the said area is lying vacant and the building is used for the purpose of Circuit Court, which will not be in session during the said period. Reference is also made to earlier order passed by this Court on 20.10.2022 in CMP Nos.14718 of 2022 and 14804 of 2022.

5. Keeping in view the above, we allow the present application, subject to the following conditions:

i. That no damage shall be caused to the property of the school and its playground, where the Deep Utsav is proposed to be organized.

ii. That after the event is organized, the playground shall be handed over to the Principal of the aforesaid school in a neat and clean condition and it shall be ensured that no plastic is used except the one permissible under the law. The administration and organizers shall ensure that the

playground is cleaned after the event.

iii. That the law and order shall be maintained by the local administration during the said period.

iv. That the applicant shall deposit a sum of Rs.20,000/ in the Students Welfare Fund of the school concerned.

6. The Organizers shall also ensure that the event takes place in a peaceful atmosphere and they would be responsible, if any, untoward incident happens.

7. The application stands disposed of.

CMP No.29321 of 2026

The present application has been filed on behalf of the Matiana Welfare Association seeking permission for holding/organizing a Basketball Panchayat Level Tournament in the playground of the Government Sawaran Jayanti Utkrisht CBSE School (GUSSS) Matiana, Tehsil Theog, District Shimla, HP for 07.11.2026 and 08.11.2026.

2. Learned Counsel for the applicant submits that the tournament is being organized on the 7th and 8th of November, 2026 and would not affect the academic activity or functioning of the school. It is further

submitted that the purpose of organizing the tournament is to keep the youth away from the addiction of drugs and also to encourage them to participate in sports activities.

3. Keeping in view the above, we allow the present application, subject to the following conditions:

i. That no damage shall be caused to the property of the school and its playground, where the tournament is proposed to be organized.

ii. That after the event is organized, the playground shall be handed over to the Principal of the aforesaid school in a neat and clean condition and it shall be ensured that no plastic is used except the one permissible under the law. The administration and organizers shall ensure that the playground is cleaned after the event.

iii. That the law and order shall be maintained by the local administration during the said period.

iv. That the applicant shall deposit a sum of Rs.10,000/ in the Students

Welfare Fund of the school concerned.

4. The Organizers shall also ensure that the event takes place in a peaceful atmosphere and they would be responsible, if any, untoward incident happens.

5. The application stands disposed of.

(G.S. Sandhawalia)
Chief Justice

(Bipin C. Negi)
Judge

04th November, 2026
(Gaurav Rawat)