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

+ W.P.(C) 15083/2023

MISSION SAVE CONSTITUTION

..... Petitioner

Through: Mr. Jatin Bhatt, Mr. Sanawar, Mr. Harshit Singh Gahlot, Mr. Faisal Mohd. Mohd. Hasan, Mr. Tanveer Arfi, Mr. Shameem Ahmed, Ms. Nujhat Naseem with Mr. Mehmood Pracha in person.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Kirtiman Singh, CGSC for R-1/UoI.
Mr. Arun Panwar, Advocate for Mr. Santosh Kumar Tripathi, Standing Counsel for R-2/DCP.
Ms. Khushboo Nahar, ASC for MCD/R-3.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

25.11.2023

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1. The instant writ petition has been filed for a direction to Respondent Nos.2 and 3 to act upon the request of the Petitioner and grant NOC to the Petitioner to organize a gathering at Ramlila Ground, Delhi on 04.12.2023.
2. Material on record discloses that the Petitioner had made an application on 10.11.2023 before Respondent No.3/MCD for allotment of Ramlila Maidan, Delhi for 04.12.2023 for holding Muslim Mahapanchayat to be organized by the Petitioner. On the same day, the Respondent No.3/MCD *vide* letter bearing No.DDH/ADH/CSPZ/2023-24/751 informed the Petitioner that the Ramlila Ground is vacant/available for 04.12.2023

and the same can be allotted for 04.12.2023, subject to NOC from Delhi Police. A counter affidavit has been filed by SHO, Kamla Market, Central District, Delhi stating that the Police has already given NOC to Maha Tyagi Seva Sansthan for organizing 'Mahayagya for Vishwa Jan Kalyan' at Ramlila Ground from 03.12.2023 to 15.12.2023 and therefore, Ramlila Ground is not available for the Petitioner on 04.12.2023.

3. This Court is not going into the controversy as to whether the Maha Tyagi Seva Sansthan should have first approached the MCD and then the Police Authorities or as to whether the Petitioner herein should have first approached the Police Authorities and then the MCD. In order to cut short the controversy, this Court had requested the learned Counsel for the MCD and the Police Authorities to give those dates on which no function is scheduled to be organized at Ramlila Ground, Delhi.

4. It is stated by the learned Counsel for the Petitioner that out of the dates given by Respondent No.3/MCD and the Police Authorities, the date of 18.12.2023 is the most convenient for holding the Mahapanchayat.

5. In view of the above, let the application already given by the Petitioner on 10.11.2023 for holding the Mahapanchayat on 04.12.2023 be treated as a representation for holding the Mahapanchayat on 18.12.2023, and the Respondent No.3/MCD and the Police Authorities are directed to consider the feasibility for holding the Mahapanchayat at Ramlila Ground, Delhi on 18.12.2023.

6. List on 28.11.2023 for further hearing.

SUBRAMONIUM PRASAD, J

NOVEMBER 25, 2023

S. Zakir