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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Order: 20.05.2024+ **W.P.(C) 12337/2023 & CM APPL. 52416/2023**

SHREE HANUMANT DHARMIK RAMLEELA COMMITTEE

REGD & ANR.

..... Petitioners

Through: Mr. Piyush Gupta, Mr. Karan Aggarwal, Mr. Himanshu Gupta, Ms. Khushboo Rai and Mr. Saurav Dogra, Advs.

versus

DELHI DEVELOPMENT AUTHORITY & ORS. Respondents

Through: Ms. Manika Tripathy, Standing Counsel with Mr. Ashutosh Kaushik, Mr. Dishant Bhati and Mr. D.S. Bhardwaz, Advs. for R-1.
Ms. Mehak Nakra, ASC with Ms. Aditi Kapoor and Mr. Devansh Solanki, Advs. for R-2.
Ms. Shalini Pasricha, Adv. for R-3.
Mr. Gaurav Seth and Ms. Akanksha Mehra, Advs. for R-4 &5.

CORAM:**HON'BLE MS. JUSTICE TARA VITASTA GANJU****[Physical Hearing/Hybrid Hearing]****TARA VITASTA GANJU, J.: (ORAL)**

1. This Court by an order dated 05.04.2024 had recorded the contentions of the Petitioners, that the Petitioners confine themselves only to Prayer A in the present Petition. Prayer A reads as follows:

“A. Call for the records of the Respondent No.1 and 2, in particular, the minutes of meeting dated 05.08.2022, 30.08.2023, and 31.08.2023 held in the chairmanship of the Respondent No.2 and pass an appropriate writ, order and/or direction framing and laying down



guidelines and standard operating procedure which includes a mechanism to resolve disputes in connection with the grant of permission to use sites to organize Ram Leela's in Delhi and appointment of an independent body to replace the Delhi Dharmik Mahasangh;"

2. The prayer relating to calling for the records already stands satisfied. An Affidavit dated 25.09.2023 was filed by Respondent No.1/DDA has placed on record along with the copy of the relevant extract of the Hon'ble Lieutenant Governor's directions dated 04.09.2023. Thus, the prayer remaining to be adjudicated upon was for laying down guidelines or a Standard Operating Procedure (SOP) for permission to use the DDA sites to organise Ramleelas in Delhi [hereinafter referred to as "Ramleela Sites"].

3. The issue highlighted by the Petitioner arose in view of the fact that online/offline bookings were taken by the Respondent No.1/DDA for Ramleela Sites in May/June, 2023. However, these were made subject to list to be provided by the Delhi Dharmik Mahasangh [hereinafter referred to as "DDM"] Respondent No.3 herein. The Respondent No.3/DDM's list was released only in September, 2023, pursuant to a directive issued by the Respondent No.2/Hon'ble Lieutenant Governor of NCT of Delhi. Since, bookings for the Ramleela Sites was being accepted by Respondent No.1/DDA since May/June 2023, in the case of certain Ramleela Sites, there was a discrepancy in the booking as well as allotment as per the list. This led to a situation where for the same Ramleela Site, a booking was made then cancelled and then re-made. Aggrieved the Petitioner, approached this Court.

3.1 Similar issues in relation to the Ramleela Sites were also highlighted by other parties who had also approached this Court. These include W.P.(C) 11978/2023, W.P.(C) 11977/2023 and W.P.(C) 12316/2023.



4. Learned Counsel for the Petitioners draws the attention of the Court to Respondent No.1/DDA's letter dated 22.08.2022 which encloses the list of the Respondent No.3/DDM of 2022 to submit that no such issue arose in the year 2022 and given the confusion that was caused for the Ramleela Sites in 2023, the Petitioners apprehend that a similar confusion will be caused in 2024 as well, if there are no guidelines or SOP in place.

4.1 Learned Counsel for the Petitioner, Respondent No.3 and Respondent No. 4 submit that in 2022, the Respondent No.1/DDA only opened the booking for the online/offline sites after receipt of Respondent No.3/DDM's list. The same procedure was however not followed in 2023 - leading to the present Petition.

5. Learned Counsel appearing on behalf of Respondent No.1/DDA, at the outset, submits that the Status Report dated 17.05.2024 filed is still in the process of approval. On the merits of the disputes, learned Counsel for the Respondent No.1/DDA submits that the issue arose pursuant to the Office Order dated 07.09.2023 of DDA and in the light of the fact that there was a delay in the submission of the lists by the Respondent No.3/DDM.

6. The Petitioners have highlighted an issue which led to the filing of several Petitions before this Court in the year 2023. This Court by a Judgment dated 18.10.2023 passed in Interim Applications, i.e., CM No.46977/2023 and CM No.48581/2023 was constrained to pass directions allocating Ramleela Sites to various parties. These directions were *qua* the Ramleela Sites, for the year 2023 alone. The relevant extract is reproduced below:

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19. *In view of the fact that the Dussehra festivities will come to an end within the next few days and given the paucity of time, this Court deems it expedient to pass urgent directions for the conduct of the Ramleela festivities.*



19.1 *Ramleela festivities shall be conducted at Plot 8A by Balaji Ram Leela Committee (Regd.) for the period from 18.10.2023 onwards.*

19.2 *Balaji shall comply with all safety norms, other applicable norms and all other requisite terms and conditions, including as prescribed by Respondent/DDA.....”*

7. The Respondent No.1/DDA has on 23.04.2024 filed a Policy document dated 18.12.2019 titled “Policy for streamlining the procedure for temporary allotment of open spaces/community halls for various functions” [hereinafter referred to as the “Policy”]. The Policy sets out the procedure for bookings of spaces around Delhi and sets out the terms and conditions for registration. The general terms and conditions are set out at Clause 4 which include the procedure for advance bookings and refund of security and cleaning charges. Other obligations of an allottee and the nature of usage allowed by the Respondent No.1/DDA, are also set forth in the Policy.

8. In addition, the Policy document filed contains various clarifications that have been issued *qua* the Policy including on 05.12.2019, 11.12.2019 and 18.12.2019, which are also applicable to bookings other than for Ramleela Sites.

9. The Policy document clearly does not set out any mention of a “list” prepared by the Delhi Dharmik Mahasangh or that the bookings for Ramleela Sites will be subject to orders passed by any other authority. As stated above, it has been contended that in the year 2019 when the Policy was formulated, the Respondent No.3/DDM was not in existence.

10. In view of the fact that the Respondent No.1/DDA is now making the Ramleela Sites bookings subject to document which is to be submitted by a third party organization, it is necessary that the Respondent No.1/DDA puts in place a set of guidelines or an SOP for these bookings, to prevent further situations as had arisen in the year 2023. Given the fact that Ramleela



functions are usually held in the month of October every year, it is imperative that the SOPs/guidelines are formulated and put in place in advance to prevent inconvenience caused to the public.

11. Accordingly, the following directions are being passed:

- (i) The Respondent No.1/DDA shall formulate comprehensive SOPs/guidelines for booking of Ramleela Sites within five weeks' from the date of this order and no later than 25.06.2024;
- (ii) In the event, that the Respondent No.1/DDA seeks to rely on the list of the Respondent No.3/DDM or other third party organisation for these bookings, an appropriate clarification would be inserted in the SOPs/guidelines to make all persons aware of such a reliance; and
- (iii) These SOPs/guidelines shall be publicized by the Respondent No.1/DDA.

12. In the meantime, no online/offline bookings of Respondent No.1/DDA ground/open spaces for Ramleela functions, shall be undertaken by the Respondent No.1/DDA, till the new SOPs/guidelines for booking of Ramleela Sites is published by the Respondent No.1/DDA.

13. Learned Counsel for the Respondent No.3/DDM submits that the Delhi Dharmik Mahasangh lists for allocation of Ramleela sites for the year 2024 shall be finalized on or before 15.06.2024. The Respondent No.3/DDM is bound down to the statement made by the learned Counsel for Respondent No.3/DDM.

14. In view of the fact that the parties submit that the bookings for Ramleela Sites are already delayed, we would request the Respondent No.1/DDA to adhere to the timeline given in this order.



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15. The present Petition and all pending Applications are disposed of with the aforesaid directions.

16. Parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

MAY 20, 2024/SA