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

\# **CNR No. DLHC010506102026**

\+ W.P.(C) 36/2026 (*Disposed of*)

LALIT ANAND

.....Petitioner

Through: Mr. Nitish Kumar Singh, Mr. Amit Kumar Thakur and Mr. Shashank Kumar, Advs

versus

GOVT. OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Ravikant Kumar, Adv for DDA/R2

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

O R D E R

% 13.11.2026

CM APPL. 78725/2026

Allowed subject to all just exceptions.

The application stands disposed of.

CM APPL. 78724/2026

1. The matter was mentioned during vacation, and due to urgency the same was taken up for hearing today.

2. This is an application filed on behalf of the petitioner/applicant under Section 151 of CPC, 1908 seeking the following prayers:-

> *"(a) grant leave to the Applicant to intervene in the present matter for the limited purpose of the present application;*
>
> *(b) permit the Applicant to organise the Chhath Puja (Sandhya Arghya and Usha Arghya) at Chintoo Park,*

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Naraina Village, Division DPD-5, Zone Dwarka, New Delhi-110028 on 15.11.2026 and 16.11.2026, on a portion not exceeding 1000 sq. m. as may be demarcated by Respondent No. 2, as a one time measure, subject to the undertakings set out in paragraph 10 hereinabove and such further conditions as this Hon'ble Court may deem fit, and permit the Applicant accordingly;

(c) direct Respondent No. 2/DDA to grant temporary booking of the said portion of Chintoo Park to the Applicant for the said period on payment of the applicable charges and security deposit, and direct Respondent Nos. 1, 3 and 4 and the other concerned agencies to consider and decide the applications of the Applicant for the requisite NOCs and permissions expeditiously, and in any event before 13.11.2026, in accordance with law; ....”

3. Learned counsel for the applicant states that the applicant seeks permission to organise Chhath Puja, comprising Sandhya Arghya on the evening of 15.11.2026 and Usha Arghya in the early morning of 16.11.2026, over an area of approximately 1,000 sq. m. at Chintoo Park, Naraina Village, New Delhi. It is submitted that the applicant has been organising the said religious observance at the aforesaid location for the past 23 years. The applicant has also undertaken to restore the park to its original condition after the conclusion of the festivities.

4. For the reasons stated in the application, issue notice.

5. Mr. Kumar, learned counsel, accepts notice on behalf of respondent No. 2/DDA and opposes the application. He submits that the park is being

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maintained by the DDA as a green area and has planted trees and flowers that permitting the applicant to organise the aforesaid event therein would adversely affect the park and its maintenance.

6. I have considered the submissions made on behalf of the applicant as well as the objection raised by the DDA. The fact that the applicant has been organising the Chhath Puja at the said location for several years, or that the present request is confined to a limited area and period, cannot, by itself, constitute a ground for permitting the use of a green area. The park is being maintained as a green area at the present for the benefit of the public at large.

7. Learned counsel for the applicant has also drawn my attention to a document titled “Chhath Puja 2026: Single Window Management, Central District”. The same reads as under:

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Chhath Puja 2026: Single Window Management, Central District

Enter one Samiti per row. Select Yes or No in NOC Status. Mobile numbers are stored as text.

S. No.	Name of the Samiti	Name of President	Mobile No. of President	Registered Address of the Samiti	Venue of Chhath Ghat
1	MILAN SANGHA KALI PUJA SAMITI	SITA RAM RAUL	9999283373	3/4102,JAGJIVAN NIVAS RAGAIR PURA	GOMA RAM SABLANIYA CHOWK
2	SURYA NARAIN CHHATH PUJA SAMITI	AMOD KUMAR SINGH	9968172082	213/1,THAN SINGH NAGAR ANAND PARBAT	RAMJAS SCHOOL GROUND
3	MITHILA YUVA CHHHATH PUJA SAMITI	SHIV KUMAR	9871821475	GALI NO-06 RAMLEELA PARK PREM NAGAR	DEEN DAYAL UPADHYAY PARK PREM NAGAR
4	MITHIANCHAL CHHAT PUJA SAMITI	NARESH KUMAR	8376874152	T-335/2 BALJEET NAGAR	RAMJAS SPORTS GROUND
5	PURVANCHAL SWABHIMAAN PARIVAR TRUST	VINIT	7011056454	D-4 GROUND FLOOR RANJEET NAGAR	GANGA MAIYA PARK A-BLOCK PANDAV NAGAR
6	SAVARJANIK SHIV MANDIR DHARMIK SABHA	SUNIL KUMAR SHARMA 9650247126		SHIV MANDIR GALI NO-06 PREM NAGAR	SHIV MANDIR PREM NAGAR
7	ADARSH YUVA MANCH	SANJAY MISHRA	9953928451	WZ-908,RING ROAD NARIANA	CHINTU PARK SANATAN DHARAM RAMLILA MAIDAN NARAINA VILLIGE
8	PURVANCHAL MITHILA CHHATH PUJA SAMITI	POONAM DEVI	9990451821	BLOCK -5-420 KARAM PURA	DDA FLATS CAPITAL GREEN KARAM PURA
9	ADITYA YUVA MANCH NARAINA	MANOJ KUMAR MANDAL	9958752548	HOUSE NO. 26, FLOOR GROUND, BLOCK-D, DDA RES SCHEME, NARAINA VIHAR, NEW DELHI-110028	MINI STADIUM NARAINA GAON
10	MITHILA CHHATH PUJA SAMITI	CHANDAN	9717463159	2/68 WHS TIMBER MARKET, KIRTI NAGAR, NEW	BHAGAT SINGH PARK, WHS TIMBER

8. However, the said document/notification cannot be read or construed as superseding the directions already issued by this Court on 19.08.2026. It

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is a settled position that an administrative decision of the Executive or any other body cannot nullify or dilute a judicial order. In this regard, reference may be made to the following observations of the Hon'ble Supreme Court in *S.S. Bola v. B.D. Sardana, (1997) 8 SCC 522:*

> *"G. The constitutional courts as sentinel on the qui vive, have fundamental duty and responsibility to build an egalitarian social order under the rule of law. In the exercise of the power of judicial review the Judges of the constitutional courts must, of necessity, be judicial statesmen.....Thereby, judicial review alerts the legislature/the executive that their Acts/actions, should conform to the constitutional requirements or avert the constitutional lapses without trenching upon or trespassing into the field assigned to the other wings of the State and develop mutual respect for each other's powers and functions. It is settled law that if the language in the Act/section/clause is clear and unambiguous it is not necessary to fall back upon the Statement of Objects and Reasons of the Act to cull out the intention. Therefore, we need not burden the judgment by citing copious precedents in this behalf. In adjudging the constitutionality of an Act or action, it is their function to find out whether the vice pointed out by the courts or invalidity suffered by the previous law, is cured, complying with the constitutional/legal requirements as was pointed out in the previous judgment by applying the primary tests viz.,*

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> *whether legislature is competent to enact the law and whether the Act is consistent with the constitutional requirements. The legislature has no power to overrule the decision of a constitutional court by mere declaration, without properly and constitutionally removing the base upon which the previous decision was founded; nor has it the power to direct that the decision of the court does not bind the State or its instrumentalities."*

9. I am also conscious of the fact that, as reported in the newspapers, the Government of NCT of Delhi has already earmarked an area at Munak Canal for the purposes of Chhath Puja and has made arrangements.

10. In view of the availability of alternative arrangements for conducting Chhath Puja, there is no justification for permitting the use of Chintoo Park for the proposed purpose, particularly when the same is being maintained as a green area.

11. In this view of the matter, the application is dismissed in the aforesaid terms.

JASMEET SINGH, J

NOVEMBER 13, 2026/NR

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