



2026:DHC:9064



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: October 8th, 2026

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CNR No. DLHC010475212026

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W.P.(C) 14615/2026 & CM APPL. 68357/2026, CM APPL. 68358/2026, CM APPL. 68359/2026

RAYS OF NEW BEGINNING FOUNDATIONPetitioner

Through: Mr. Vikas Tripathi, Ms. Mandavi Pandey, Mr. Chandan, Mr. Kunal Shahi, Ms. Hema Kumari, Mr. Avinash Mishra, Mr. Raushan Kumar, Mr. Shivansh Dubey, Ms. Shivani, Mr. Pratham Singh, Mr. Aaditya Verma and Mr. Abhishek Kumar, Advocates.

versus

DELHI URBAN SHELTER IMPROVEMENT
BOARD & ORS.

.....Respondents

Through: Mr. Anuj Chaturvedi, Ms. Yashita Jain and Mr. Ashok Kumar Bhaskar, Advocates for R1.
Ms. Manika Tripathy, Standing Counsel for DDA.

CORAM:**HON'BLE MR. JUSTICE AMIT MAHAJAN****AMIT MAHAJAN, J. (Oral)**

1. By the present petition, the petitioner challenges the communication dated 28.09.2026 (hereafter '**impugned communication**') whereby the application of the petitioner for

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Signing Date: 12.10.2026
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allotment of Chunk-C Ground, Shivaji Place, Raja Garden, New Delhi for organizing the annual *Ramleela Dussehra Mahotsav* has been rejected. The petitioner seeks cancellation of the allotment made in favour of Respondent No. 6 and further seeks issuance of a direction to the respondent authorities to forthwith allot the said ground to the petitioner for the conduction of the *Mahotsav*.

2. The petitioner had organized the *Ramleela Dussehra Mahotsav* in the said ground in the years 2023 and 2024 after obtaining allotment from the respondent authorities. For conduction of the same this year as well, the petitioner had preferred an application on 26.05.2026 seeking allotment of the said ground for the period between 25.09.2026 to 08.11.2026. Despite representations by the petitioner, no action was taken by the respondent authorities.

3. Consequently, the petitioner preferred a writ petition being W.P. (C) No. 13983/2023 and this Court *vide* order dated 22.09.2026 disposed of the said petition by directing the respondent authorities to *forthwith* take a decision on the petitioner's application. In the aftermath of the writ petition and the subsequent representations, the respondent authorities issued the communication dated 28.09.2026 thereby rejecting the application of the petitioner received on 27.05.2026. The rationale adopted by the respondent authorities for rejecting the application of the petitioner is that in accordance with the High Level Coordination Committee ('**HLCC**') guidelines, the allotment was to be made on a *first come first serve* basis. The impugned communication therefore records that since Respondent No. 6 preferred an application on 10.04.2026 which was prior to the



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application submitted by the petitioner on 27.05.2026, the temporary allotment was made in favour of Respondent No. 6.

4. Disgruntled by the aforesaid, the petitioner has preferred the present petition.

5. The principal grievance put forth by the petitioner is that it had conducted the *Ramleela Dussehra Mahotsva* at the said ground in the years 2023 and 2024, and as per the SOP issued by the DDA on 01.09.2026, societies that had booked the respective *Ramleela* sites in the preceding years were to be given preference for booking the same site on production of proof of booking for 02 years out of the last three years. It has been urged that the respondent authorities departed from the binding SOP guidelines and adopted a mechanism that was alien to the practice adopted for allotment of grounds in the previous years.

6. It has further been emphasised that the respondent authorities ought to have followed the SOP issued by the DDA and they could not have rejected the application of the petitioner in exercise of the HLCC guidelines which purportedly sanctioned allotment on *first come first serve* basis as the same was never disclosed.

7. On the other hand, the learned counsel for Respondent No. 1 submits that the SOP issued by the DDA are not applicable *in totum*. He submits that insofar as booking charges of the ground are concerned, the SOP issued by the DDA is followed, however, the allotment of the ground itself is made on *first come first serve* basis in accordance with the HLCC guidelines. He emphasises that in the event that application for allotment of the ground is preferred by two or more applicants, the committee determines the suitability of the



applicants, and the determinative criteria is *first come first serve*. He further submits that the ground in the present case already stands allotted to Respondent No. 6 and the festivities are also about to commence. He submits that in such circumstances, no relief can be granted to the petitioner at this juncture.

8. I have taken note of the rival contentions of the parties and perused the record.

9. Having done so, this Court arrives at the conclusion that the stance taken by Respondent No. 1 cannot be accepted.

10. *Firstly*, in the present case, no notice or publication was released delineating the specific window for preferring an application, and providing that the applications would be considered on a *first come first serve* basis.

11. *Secondly*, even if this Court were to perceive the case of Respondent No. 1 in the best light and it was to be considered that the applications were to be decided on a *first come first serve* basis, still, this Court is of the considered opinion that the said policy is marred with blemishes and cannot be countenanced. The reasons for the same are myriad.

12. At first sight, the expression "*first come first serve*" seems to embody an objective rule, that is, an applicant who approaches the authority first would obtain priority. However, merely because a policy is mechanically ascertainable does not translate to mean that the same is also constitutionally reasonable and in consonance with public policy. The determinacy of a criterion and its inherent rationality are two distinct questions. Consequently, the policy of



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“*first come first serve*” does not find favour with this Court for the following reasons.

13. *Firstly*, solely because the date and time of receipt of an application can be established does not tantamount to mean that the earliest application bears the strongest claim to the public facility. In the event that several organisations seek permission to use the same public ground, the concerned authorities ought to adopt a criterion capable of distinguishing between the competing claims.

14. *Secondly*, the policy creates an unequal race for information. The policy thus incentivizes the discovery of availability of a public ground before competing applicants become aware of it. The same creates a structural dilemma, that is, a person with privileged access to administrative information may obtain an advantage that is unavailable to others [Ref. ***Anant Raj Ltd. v. State of Haryana : (2022) 15 SCC 596; Centre for Public Interest Litigation v. Union of India : (2012) 3 SCC 1***]. Even without actual favouritism, uncertainty about the opening of a booking process can create unequal opportunities to secure the earliest position.

15. The difficulty is particularly acute where the public authority receives applications before publishing the governing policy, subsequently changes the booking procedure or relies upon different procedures maintained by different departments. In those circumstances, the date of receipt may become decisive even before applicants have been placed on an equal footing. Infact, it could give rise to a scenario where the applicants run amok, and applications for festivities are preferred several months before the actual date of the



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programme and the applicant who wins the race is awarded. Further, it may also give rise to a scenario where applications are submitted even before assembling a complete operational proposal taking into account a carefully prepared crowd management plan, effective emergency arrangements, compliance with applicable safety requirements or a feasible plan for restoring the ground after use.

16. The present record raises precisely the need for clarity in this regard. The impugned communication refers to an application received on 10.04.2026 and another received on 27.05.2026, whereas the DDA SOP relied upon by the petitioner is dated 01.09.2026 and prescribes a booking procedure for that year. The relationship between these earlier applications, the applicable HLCC guidelines and the subsequently notified SOP must be capable of objective explanation. A prospective policy must thus leave no uncertainty as to when an application may be filed, which applications will be considered, what would be the standard to assess the applications and what legal consequence would follow the receipt of the applications.

17. Even the SOP issued by DDA, though provides preference for societies that have hosted the festivities in the preceding years, the same runs the risk of creating a *de facto* monopoly. In the opinion of this Court, thus, a structural framework ought to be set out to govern booking of the grounds.

18. Insofar as the grievance of the petitioner is concerned, no immediate relief can be granted to the petitioner. As noted above, the festivities are about to commence and, in such circumstances, the immediate cancellation of existing allotment and transfer of the



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ground to the petitioner for the ongoing 2026 festivities is not feasible.

19. However, insofar as the policy in relation to allotment of grounds for the subsequent years are concerned, Respondent No. 1 is directed to undertake a reasoned review of the applicable instructions and frame comprehensive guidelines each year governing the allotment of grounds for *Ramleela* and similar cultural or religious events ensuring the following:

- a. At least ninety days before the first scheduled event date, the competent authority shall publish an annual site-allocation notice identifying the available grounds, their location, area, permitted uses, booking dates, relevant restrictions and applicable charges. The notice should expressly specify the date on which applications open and close, the documents required, the eligibility conditions, the criteria for evaluation, the manner of treatment of previous organisers, the tie-break procedure and the manner in which objections may be filed.
- b. All applications for a particular site and booking period should ordinarily be received within the same pre-determined application window.
- c. If a site remains unallocated after the initial process, it should be notified afresh through a short supplementary application window open to all eligible applicants.
- d. Every application should first undergo a common eligibility assessment. The authority should determine whether the applicant is legally authorised to represent



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the organisation, satisfies the registration requirements, has submitted the prescribed documents and can undertake the event in accordance with the applicable conditions.

- e. Guidelines may also be with respect to each applicant providing a site-specific operational plan addressing *inter alia*, safety arrangements, crowd capacity, ingress and egress, emergency response, fire and electrical safety, sanitation, traffic and parking management, accessibility, waste removal and restoration of the ground. The relevant statutory clearances must be obtained in accordance with the applicable law.
- f. Where only one eligible applicant qualifies for a site after completion of the prescribed process, the authority may proceed to allot the ground after considering objections, if any, and verifying that all mandatory conditions have been met. Further, where two or more eligible applicants compete for the same site and period, the authority should undertake a comparative assessment using a predetermined, published scoring matrix or any other published criteria to ascertain the suitability of the applicants.
- g. Continuity and experience should remain a relevant consideration, however, it should not determine the outcome irrespective of competing claims. To eliminate *de facto* monopoly, a previous organizer with satisfactory



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compliance record may receive a limited preference but no automatic right to grant of allotment. If competing eligible applicants exist, preference may not extend beyond two consecutive years, and the competing claims of the applicants be considered on merit.

- h. An adequate provision and mechanism for redressal of grievances must be provided in the policy.
- i. The annual timetable must be designed so that the final allotment and ordinary grievance process are completed sufficiently before the event begins.

20. The concerned authorities are directed to frame comprehensive policies every year before the exercise of allotment of grounds for the purpose of conduction of festivities is undertaken.

21. The directions concerning revision of policies are prospective in nature. It is made clear that the directions contained in the order do not retrospectively alter the terms of the policies applicable to the 2026 year season or predetermine the rights of any applicant under that policy.

22. The present petition along with pending applications stand disposed of in the aforesaid terms.

AMIT MAHAJAN, J

OCTOBER 8, 2026

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