

\$~11

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

+ W.P.(C) 13163/2019 & CM APPL. 53573/2019

HATHKARGAH LAGHU PATANG

UDYOG SAMITI (REG.) ..... Petitioner

Through: Mr. Pankaj Bhagat, Adv.

versus

GOVERNMENT OF NCT OF DELHI AND ANR. .... Respondent

Through: Mr. Karn Bhardwaj, ASC (GNCTD),  
Counsel for Respondents.

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**HON'BLE MR. JUSTICE AMIT MAHAJAN**

**ORDER**

% **16.08.2022**

1. The petitioner has filed the present petition *inter alia* impugning a Notification dated 10.01.2017, whereby the respondent has prohibited sale, production, storage and supply of kite flying threads made out of nylon and plastic or any other synthetic material (Chinese manja).

2. The operative part of the impugned notification reads as under:

**Directions:-**

1. There shall be complete ban on the sale, production, storage, supply, import, and use of kite flying thread made out of nylon, plastic or any other synthetic material including popularly known as "Chinese manja" and any other kite-flying thread that is sharp or made sharp such as by being laced with glass, metal or any other sharp materials in the National Capital Territory of Delhi.
2. Kite flying shall be permissible only with a cotton thread, free from any sharp/ metallic/glass components/ adhesives/thread strengthening materials."

3. The petitioner states that it is engaged in the business of producing and selling cotton kite flying thread which is strengthened by natural adhesives such as rice and eggs. The product dealt with by the petitioner is entirely biodegradable.

4. He states that traditionally the powdered glass was used to make the said thread slightly sharp, however, the petitioner is also willing to refrain from using any crushed glass or other synthetic sharp material.

5. He submits that although *sensu stricto*, the product produced and sold by the petitioner does not fall within the rigors of the impugned notification, there is an apprehension that the concerned officers of the respondent would, nonetheless, use coercive steps against the petitioner.

6. The learned counsel appearing for the respondent seeks time to take instructions whether respondent could clarify that a biodegradable kite flying thread with biodegradable adhesives or strengthening material, would fall within the scope of the impugned notification. The respondent shall also take instructions as to the maximum permissible tensile strength.

7. At his request, list on 02.09.2022.

**VIBHU BAKHRU, J**

**AMIT MAHAJAN, J**

**AUGUST 16, 2022**

*'KDK'*