



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 14183 OF 2026

Marathi Wadal Pratishtan,
Through its President,
Pruthviraj Yogiraj Rathod

.. Petitioner

Versus

The State of Maharashtra
Through the Principal Secretary
And others.

.. Respondents

Mr. Amol S. Sawant, Advocate for Petitioner.
Mr. R. K. Ingole, AGP for Respondent Nos. 1,4 & 5.
Mr. Parth Salunke, Advocate for Respondent Nos. 2 & 3.

**CORAM : KISHORE C. SANT AND
JITENDRA JAIN, JJ.**

DATE : 10th OCTOBER, 2026.

PER COURT :-

1. Heard the parties. By consent of the parties taken up for final disposal.
2. Looking to the urgent nature, the petition is moved before the special bench as the regular bench is not available. The petitioner has obtained permission from the Assistant Commissioner to organize Garba for nine days in ensuing Navratri festival. The Assistant Commissioner, Chhatrapati Sambhajanagar

has granted permission to collect the donation, subscription etc. and has also allowed to conduct Garba. On getting permission from Assistant Commissioner the petitioner sought permission from the Corporation for using open space named Ramlila Maidan to organize Garba for a period from 11.10.2026 to 20.10.2026. Initially, the Corporation granted permission on 08.10.2026 by giving no objection on certain conditions. However, later on, by communication dated 09.10.2026 the said permission came to be cancelled citing the reason of law and order situation. It is stated that, on the said Ramlila Maidan since last 46 years effigy of statute of Rawan is conducted on the day of Dasshera. It is only on that the permission came to be cancelled.

3. It is the contention of the learned advocate Mr. Sawant for the petitioner that, the petitioner is also conducting Garba for nine days since last ten years at a nearby place. Because of the technical difficulties this year they decided to conduct the Garba on Ramlila Maidan as it is a bigger ground. Though initially permission was granted, it suddenly came to be withdrawn arbitrarily without giving any notice or opportunity of hearing. The petitioner is ready to give undertaking that they will not cause

any disturbance to the nearby locality. The learned advocate for the petitioner thus prays to allow the petition by setting aside letter of cancellation dated 09.10.2026.

4. The learned advocate Mr. Salunke for the Corporation vehemently opposes the petition. He submits that, Rawan Dahan is conducted every year on the said Maidan since last 46 years. For first 7-8 days there would not be any problem. However, for Dasshera event they need to fill fire crackers in the statue of Rawan. On the day of Dasshera the fire crackers are exploded. Around 25,000-30,000 persons gather in the said event. It is not only the question of law and order, but also because of the fire crackers and filling of the fire crackers in the statue and in the said process also there is likely to be untoward incident taking place as the fire crackers are highly explosive. It is also therefore thought of the safety of the persons playing Garba the said permission is denied. He thus opposes the petition.

5. The learned A.G.P. Mr. Ingole also opposes the petition stating that, to manage such a crowd in the days of Navratri is difficult. On Dasshera day also patrolling is required and it is for this reason the ground needs to be accessible for managing crowd.

6. Initially, on 08.10.2026 the Corporation had granted permission on certain conditions which are shown in the letter dated 08.10.2026. There is nothing on record as to what made the Corporation to cancel the said permission immediately next day on 09.10.2026. The reason cited is of law and order. It is not clear as to from where the Corporation received the inputs about law and order. It is not reflected that it is the Police machinery who reported the Corporation about the law and order situation. This Court finds that, the reason only shows that there would be crowd and because of Rawan Dahan that would take place on 20.10.2026 there is likely to be law and order situation. Except crowd there is no any other threat seen or perceived.

7. It is common knowledge that every year Garba is played on various places in the city. People come only to play Garba. Merely because more crowd is expected cannot be said to be a reason of law and order situation. At the same time, this Court needs to take into consideration that on the said Maidan every year Rawan Dahan is also performed. The apprehension of the Corporation that the fire crackers are required to be filled in the statue also can be taken care of by putting certain conditions.

8. On expressing this concern, the learned advocate for the petitioner has accepted that the petitioner would undertake that they will not cause any obstruction. They will hold the event only on 10% of the total ground. The petitioner also would undertake to cover the place of Garba by iron sheets. They will also make arrangement for fire brigade and will ensure that the event goes on smoothly.

9. The petitioner shall give names of two persons who will be held responsible, in case, any untoward incident happens and if any damage is caused to the property except in due conduct of the event. An undertaking shall also contain that they will maintain the noise level below permissible limits and every day they will close the event by 10 O'clock as prescribed under the law. These conditions shall be in addition to the conditions which are enumerated in the letter dated 08.10.2026.

10. The parties to identify the location today itself jointly. The Corporation shall take charges of 10% ground as per the area allotted.

11. The petitioner shall donate Rs. 21,000/- (Rs. Twenty One Thousand only) towards drought fund. The amount towards the

said fund be deposited in the office of this Court by 13.10.2026.

12. With this, the writ petition stands disposed of.

13. Parties to act upon authenticated copy of this order duly signed by the Sheristedar of this Court.

(JITENDRA JAIN, J.)

(KISHORE C. SANT, J.)

P.S.B.