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

+ W.P.(CRL) 421/2021

DELHI WAQF BOARD THROUGH ITS CHAIRMAN..... Petitioner

Represented by: Mr.Ramesh Gupta, Sr.Advocate with
Mr.Wajeeh Shafiq, Standing Counsel
for Delhi Waqf Board, Ms.Ramsha
Shan and Mr.Shailendra Singh,
Advocates.

versus

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

Represented by: Mr.Amit Peshwani, Advocate for
Ms.Nandita Rao, Additional Standing
Counsel for State/respondent No.1.
Mr.Tushar Mehta, Solicitor General
of India with Mr.Amit Mahajan,
CGSC, Mr.Rajat Nair, Mr.Dhruv
Pandey and Mr.Shantanu Sharma,
Advocates for respondent No.2/UOI.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

13.04.2021

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The hearing has been conducted through Video Conferencing.

1. Learned Solicitor General of India points out to the Order No.F.1(589)/DDMA (HQ)/Misc.Matters/COVID/21/368 dated 10th April, 2021 passed by the Delhi Disaster Management Authority (in short 'DDMA') whereby all social/political/sports/entertainment/academic/cultural/religious/festival related and other gatherings and congregations are prohibited.

2. According to learned Solicitor General of India, in terms of this prohibition no gathering/congregation can be permitted at the Markaz as is being prayed for by the petitioner.
3. The competent authority will file an affidavit indicating as to the manner in which clause (ii) of the prohibition at Sr.No.1, Annexure-A to the order dated 10th April, 2021 of the DDMA is being implemented and whether religious/festival related and other gatherings and congregations are being permitted to take place or not including in the temples, mosques, churches etc. in the region of NCT of Delhi.
4. The petitioner has also placed on record a proposed plan for Ramadan prayers to be held at the Mosque Bangle Wali on behalf of the petitioner, copy whereof has been emailed to the office of the learned Solicitor General of India. A response to this proposed plan will also be filed by the respondent/Union of India before the next date of hearing, that is, 15th April, 2021.
5. Video recordings available with the respondent with regard to the programme which took place on Shab-e-barat as also at the time of demarcation on 12th April, 2021 at the Markaz will be placed on record. The petitioner is also at liberty to place on record any video recordings of the said two days.
6. It is unfortunate that despite the fact that the writ petition is yet to be decided and this Court has not passed any order directing opening of the Mosque Bangle Wali, Mr.Amanatulla Khan, who is the Chairman of the Waqf Board, made a statement stating that the Court has opened the Mosque Bangle Wali.
7. List this petition on 15th April, 2021 at the 'end of the board'.

8. Learned counsel appearing for Union of India states that till the next date of hearing, the permission to the five persons nominated to perform the Namaz all five times will continue to be permitted.
9. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

APRIL 13, 2021
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