IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No.196 of 2026 (M/S)

With
(Urgency Appl. No.01 of 2026)
(Stay Appl. No.02 of 2026)

Shri Ganga Sabha Rishikesh ...Petitioner

Vs.

Nagar Nigam, Rishikesh and Others ...Respondents

Presence: Mr. Piyush Garg, learned counsel and Mr. Sagar Kothari, learned counsel for the petitioner through V.C.
Mr. Lalit Miglani, learned counsel for respondent nos.1 & 2.
Mr. C.S. Rawat, learned Chief Standing Counsel assisted by Mr. Yogesh Chandra Tiwari, learned Standing Counsel, for the State/respondent no.3.

Hon'ble Ashish Naithani, J.

Present writ petition has been filed by the petitioner under Article 226 of the Constitution of India for quashing the impugned order dated 05.01.2026 as well as impugned resolution dated 03.01.2026.

2. Heard learned counsel for the parties.

3. There is an interim prayer annexed with the petition as paper no.189 whereby the petitioner presses that effect and operation of the order impugned dated 05.01.2026 passed by respondent no.1 as mentioned in Annexure No.12 and the impugned resolution dated 03.01.2026 issued by respondent no.2 annexure 11 of this writ petition be stayed during the pendency of this writ petition.

4. The Ganga Aarti performed at Triveni Ghat is a time-honoured public observance, deeply interwoven with the cultural and

occupies a unique place in the collective consciousness of the people and is widely regarded as a sacred river of the nation, symbolising continuity, purity, and cultural identity. The riverbanks and the observances conducted thereon attract persons from diverse walks of life, including pilgrims, visitors, tourists, observers, and silent passers-by, belonging to different faiths, beliefs, genders, and nationalities, who engage with the experience through prayer, contemplation, or quiet reflection. The Ganga Aarti, therefore, represents a shared cultural and spiritual expression of public life, reflective of collective heritage, rather than an activity confined to any particular religion or community.

5. Having regard to the reverence associated with the River Ganga and the sentiments of the public at large, it has become customary for persons visiting the riverbanks to offer prayers and to witness or participate in the ceremonial offering of light, commonly referred to as Ganga Aarti. The ritual, ordinarily performed after sunset with the lighting of lamps using camphor, oil, or ghee, has, over time, assumed the character of an established public observance. The gathering of pilgrims, visitors, and members of the public at Triveni Ghat for this purpose reflects not merely individual acts of worship, but a collective cultural practice that has come to be associated with the place and its identity.

6. The performance of Ganga Aarti at Triveni Ghat has, over the years, evolved into a carefully coordinated and visually striking public observance, often regarded by visitors and onlookers as awe-inspiring. The organisation, coordination, and orderly conduct of this observance

Shri Ganga Sabha, Rishikesh, which has been managing the arrangements at the site over a considerable period of time.

7. The management of the Ganga Aarti is not vested exclusively in the Petitioner Society, namely Shri Ganga Sabha, Rishikesh. The maintenance and upkeep of Triveni Ghat, including matters relating to cleanliness, sanitation, and general civic infrastructure, are entrusted to the Nagar Nigam, which is a statutory body empowered under law to discharge such municipal functions.

8. In this backdrop, notices have been issued to the Petitioner Society, Shri Ganga Sabha, Rishikesh, on the premise that the period of its registration has expired and, consequently, that it is no longer authorised or obliged under the applicable rules to manage or conduct the Ganga Aarti, which it has been performing for a considerable length of time. The issuance of such notices and the consequential restraint upon the Petitioner from continuing the said public observance raise issues of immediate and urgent consideration, warranting examination by this Vacation Bench.

9. At the outset, an objection has been raised on behalf of the Respondents to the very entertainment of the present relief during the period of court vacation, contending that no case of urgency is made out so as to warrant consideration by this Vacation Bench.

10. It is further contended by the learned counsel appearing for the Respondents that the registration of the Petitioner Society had expired long prior to the issuance of the impugned notices and, on that

premise, it is urged that the Petitioner is not legally entitled to conduct or manage the Ganga Aarti at Triveni Ghat.

11. Learned counsel for the Respondents has further alleged that the activities of the Petitioner Society are primarily motivated by monetary considerations, submitting that large numbers of pilgrims and tourists assemble to witness the Ganga Aarti and that such gatherings are commercially exploited. It is contended that the Petitioner Society also manages ancillary commercial activities, including shops catering to pilgrims and visitors, from which financial benefits are derived. Despite all of that, it is alleged that they do not maintain the cleanliness and hygiene that is required at the utmost, considering the sanctity of the river Ganga that we all revere.

12. It is evident from the record that the registration of the Petitioner Society, Shri Ganga Sabha, Rishikesh, has expired some time ago and, therefore, as a matter of strict legal entitlement, the Petitioner cannot claim an indefeasible right to continue managing or performing the Ganga Aarti solely on the strength of past practice. At the same time, the issue before the Court is not the conferment of a legal right arising out of an expired registration, but the immediate consequence of abruptly restraining the conduct of a long-established public observance. Having regard to the customary nature of the ritual, the public sentiment attached thereto, and the fact that the Ganga Aarti has been continuously performed at Triveni Ghat for several years, its sudden discontinuance, without any alternative caretaker, organising body, or committee being put in place, would result in avoidable disruption and public inconvenience. In such circumstances, the

continuance of the ritual, pending appropriate administrative arrangements, assumes significance.

13. It is in this context that the plea of urgency raised by the Petitioner merits acceptance. The issue at hand directly concerns a long-standing public observance, the abrupt discontinuance of which is likely to cause widespread public inconvenience and disturbance of settled practice at Triveni Ghat. The matter, therefore, cannot be treated as routine or non-urgent, particularly when no alternative arrangement has been put in place. Considering the urgency involved and the larger public interest, this Court is of the view that limited interim relief deserves to be granted to the Petitioner Society, Shri Ganga Sabha, Rishikesh. However, such relief shall be strictly temporary, subject to conditions, and shall not be construed as recognition of any vested or permanent right. The continuance of the Ganga Aarti by the Petitioner shall remain subject to the following conditions for a specified period only:-

(i) The Petitioner Society shall not monetarily or sentimentally exploit pilgrims, visitors, or tourists by charging any entry fee, ticket, or consideration for witnessing or participating in the Ganga Aarti.

(ii) The Petitioner Society shall not exploit local vendors who earn their livelihood by selling flowers, lamps, or other articles connected with the ritual of pooja or Ganga Aarti, whether by way of commission, rent, or otherwise, except with the prior consultation and approval of the respondent Nagar Nigam, Rishikesh.

(iii) The Petitioner Society shall remain duty-bound to maintain cleanliness, hygiene, and environmental discipline at Triveni Ghat during and after the performance of the Ganga Aarti and related rituals. This obligation shall include proper collection and disposal of floral offerings, residue of burnt camphor, lamps, oil, ghee, or any other material generated during or after the observance, so as to ensure that the river and the ghat premises are not polluted or degraded.

14. List this matter on 25.03.2026.

15. Stay application as well as urgency application stand disposed of.

(Ashish Naithani J.)
(Vacation Judge)
13.01.2026

Arti