

# Administrative Court of Göttingen: no birthday celebration in style during the Covid-19 crisis

**Article by Dr. Carlo Piltz and Stefan Hessel**

## Facts of the case

As part of its efforts to combat the Covid-19 crisis, the City of Göttingen issued a generally binding order on 17 March 2020 prohibiting e.g. private events with more than 50 participants, as well as all lodging for purposes of tourism. The petitioner contested this order by filing a complaint and a petition for a temporary injunction. By way of explanation, he stated that he wanted to celebrate his birthday in style, which the City's general order has now rendered impossible. He raised formal concerns about the order and expressed doubt that the associated measures are suitable for containing the virus.

## Content of the decision

By Order of 20 March 2020, [the Administrative Court of VG Göttingen denied the petition](#). The court found that the general order is lawful, as well as being suitable and necessary to contain the uncontrolled spread of the Covid-19 virus. It noted that the risk that the disease will spread is particularly high in case of events with more than 50 people, so that after weighing the affected interests, one would have to conclude that the petition must be denied. The extensive plans which the petitioner allegedly made for his birthday party, for which the petitioner furnishes no further documentation, cannot take precedence over the protection of public health. The plaintiff filed an appeal against the ruling with the Higher Regional Court of Lüneburg.

## Conclusion

The court's ruling in the summary proceedings confirms that the public welfare outweighs the private, typically financial, interests of each individual. Insofar as companies have already planned and even financed big events, they would be well-advised to postpone them and hold them at a later date if they wish to avoid unnecessary costs and substantial expenses.

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