

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR No. 3515 of 2012 (O&M)
Date of decision: June 19, 2015

Niranjan Singh and others

...Petitioners

Versus

Gurdwara Committee Gurdwara Sahib

...Respondent

CORAM:- HON'BLE MR. JUSTICE K. KANNAN

1. **Whether Reporters of local papers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest?**

Present: Mr. PS Guliani, Advocate,
for the petitioner.

K. KANNAN, J. (Oral)

1. On a petition under Section 142 of the Sikh Gurdwara Act, 1925, an objection was taken under Order 7 Rule 11 CPC for rejection of the petition pointing out to several deficiencies in the framing of the petition and the relief asked. There was also a challenge to the manner of inadequacy of representation and lack of appropriate authority for the persons who have sued on behalf of the Gurdwara to file the case. The Sikh Gurdwara Judicial Commission (for short the '**the Commission**') reproduced the relevant provision of Order 7 Rule 11 CPC and observed that none of the grounds for rejection of the plaint is attracted. It is against this order that a revision has been filed.

2. I find no cause for intervention in revision for an additional ground than what is stated by the Commission below. There is no warrant for assumption that procedure under the Code of Civil Procedure will be

required to be followed by the Commission. The provision under Order 7 Rule 11 CPC applies only to suits and cannot be invoked for proceedings brought before the Commission under Section 142 of the Sikh Gurdwara Act, 1925. Any lack of authority of the person who is suing to continue with the petition or non-maintainability of the petition will be taken through the objection petition before the Commission and the same will be considered by the Commission itself without being in any way compelled to follow the procedure laid down under the CPC. The petitioners herein may have all the objections that they have taken before this court for non-maintainability of the petition and seek for an adjudication along with other issues. If there is any warrant for consideration of the maintainability of the petition independently and the Commission is of the view that such adjudication would save time from entering on a full fledged trial on all issues, the Commission is at liberty to do so. I am not setting any rules for the Commission to follow but merely point out that the Commission will follow an appropriate procedure to make for a quick resolution of the petition brought before it.

3. The revision petition is dismissed with the above observations.

June 19, 2015
prem

(K.KANNAN)
JUDGE