

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.17671 of 2014 (O&M)
Date of Decision : 05.05.2016.

Pracheen Mandir Shree Bhairav Nath Ji, Shree Durgiana Tirath

.....Petitioner

Versus

State of Punjab and others

..... Respondent

**CORAM: HON'BLE MR.JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI**

Present : Mr. Sunil Chadha, Sr. Advocate with
Ms. Swati Verma, Advocate for the petitioner.

Mr. Alok Jain, Addl. A.G. Punjab.

Mr. J.S.Toor, Advocate for respondents No.2 and 3.

Mr. V.K.Sandhir, Advocate for respondent No.4.

S.J.VAZIFDAR, ACTING CHIEF JUSTICE (ORAL):

The petitioners have challenged the notification dated 22/23.05.2006 (Annexure P/4) issued by respondent No.1, under Section 41 of the Punjab Town Improvement Act, 1922 as well as all the subsequent proceedings in respect of the land *ad measuring* 2 kanals 14 marlas over which the temple, namely, Bahiron Nath Mandir is in existence.

2. This matter was adjourned to await the decision in the case of *Dashnam Akhara Sanyasian, Shiv Ganga Mandir, Durgiana Abadi, Amritsar through its Mahant Sanjay Gir Chela Mahant Sri Ravi Dutt Gir Vs. State of Punjab and another, CWP No.12164 of 2015*. The Division

Bench of this Court upheld the validity of the notification by an order and judgment dated 29.03.2016, in that writ petition. We are bound by this judgment.

3. Learned counsel appearing on behalf of the respondents states that 90% of the demolition work is over. He further states that the three roof-domes, as shown in the photograph produced in Court shall be kept intact. The photograph is taken on record and as Mark-X1. He further states that the temple itself is not to be demolished. The statement is accepted.

4. The writ petition is disposed of by upholding the validity of the notification in view of the said judgment CWP No.12164 of 2015 and by accepting the statements made on behalf of the respondents as above. The interim order passed shall continue up to including 31.07.2016.

(S.J.VAZIFDAR)
ACTING CHIEF JUSTICE

05.05.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE