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

+ W.P.(C) 7269/2016 and C.M. Nos.29934/2016 (stay) & 29935/2016
(exemption)

S SUKHDEV SINGH

..... Petitioner

Through: Mr. Satish Kumar Bhatti, Advocate
with Mr. Bhaskar Upadhyay,
Advocate.

versus

DELHI SIKH GURUDWARA MANAGEMENT COMMITTEE & ANR.

..... Respondents

Through: Ms. Gayatri Aryan, Advocate for
respondent No.1.
Mr. Abinash Kumar Mishra,
Advocate for respondent No.2.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **08.12.2016**

1. During the course of arguments, the issue came up with respect to jurisdiction of this Court to decide this matter in view of Section 32 of the Delhi Sikh Gurdwaras Act, 1971 (hereinafter referred to as 'the Act'). Section 32(d) of the Act provides that it is the District Judge who shall have the jurisdiction with respect to deciding the disputes between the committee and its employees including past employees.

2. In the present case, disputes are between the petitioner and the respondent no.2 which is being controlled by the respondent no.1, and respondent no.1 is the body under the Act. Therefore, Section 32 of the Act will come into play, and accordingly, once there is a specific jurisdiction vested with the specific court, this Court would not exercise jurisdiction which has to be exercised by the designated court. The designated court is the court of District Judge, Delhi.

3. In view of the above, this writ petition is not pressed, but, liberty is granted to the petitioner to approach the competent authority being the District Judge, Delhi, and on such proceedings being filed the petitioner so far as limitation is concerned, will have the benefit of Section 14 of the Limitation Act, 1963 for the period of time the present petition remained pending in this Court.

4. The writ petition is accordingly disposed of with the aforesaid liberty.

VALMIKI J. MEHTA, J

DECEMBER 08, 2016

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