

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

CR No. 5178 of 2017 (O & M)
Date of decision :13.10.2017

Sukhwant Singh

...Petitioner

Versus

Baldev Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Manoj K. Sharma, Advocate
for the petitioner.

Mr. M.J.S. Bedi, Advocate
for respondent No.1.

ANIL KSHETARPAL, J. (Oral)

Petitioner before this Court is a President of Gurudwara Committee of Management, Gurudwara Mastgarh Sahib, District Kurukshetra. He has challenged the order passed by Sikh Gurudwara Judicial Commission at Amritsar. By an interim order passed under Order 39, Rule 1 and 2 read with Section 151 CPC, the Commission has directed the respondents in the main petition to grant certain service benefits and implement the order dated 29.01.2007.

Learned counsel for the petitioner has submitted while relying upon the judgment passed by the Hon'ble Supreme Court in the case of **Mewa Singh vs. Shiromani Gurdwara Prabandhak Committee 1999 (2) SCC 60** that Sikh Gurudwara Judicial Commission does not have jurisdiction in the service disputes. He has further submitted that by way of interim order even the final relief has been granted.

On the other hand, learned counsel for the respondents has

submitted that he is an employee of the Gurudwara and, therefore, entitled to service benefits. However, learned counsel could not bring any judgment to the effect that Commission has jurisdiction to adjudicate upon service disputes between the Gurudwara and its employee.

Taking into consideration the aforesaid facts, the order under challenge is set aside. However, any observations made by this Court while deciding the revision petition shall not be taken as an expression of opinion on the merits of the case.

Hence, this revision petition is allowed.

13.10.2017
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes
Whether Reportable : No