

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

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**FAO No.1972 of 2018 (O&M)
Date of Decision : 23.04.2018**

Gurcharan Singh and others

..... Appellants

Versus

Avtar Singh and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present :- Mr. M.K.Singla, Advocate
for the appellants.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the order dated 07.04.2018 passed by Sikh Gurdwara Judicial Commission Amritsar (hereinafter called as Commission) by which a receiver has been appointed for the Gurdwara Sahib Nanaksar Cheema and the appellants and other elected office bearers have been restrained from exercising their powers.

The primary ground taken by the counsel for the appellants is that the impugned order is completely non-speaking. He has pointed out that not even a single reason has been given in the impugned order as to why the receiver should required to be appointed and elected members be restrained from undertaking their functions.

Notice of motion.

Dr. Puneet Kaur Sekhon, Advocate accepts notice on behalf of the caveators-respondents No.1 & 2. She has argued that there are very serious allegations against the appellants but has fairly accepted that no reason has been given in the impugned order. Faced with the prospect of prolonging of this dispute she has stated that she would have no objection if the appeal is allowed but she prays that the matter be remanded back to the Commission for a fresh decision in accordance with law.

Counsel for the appellants can obviously have no objection to this course of action.

In the circumstances, the appeal is allowed and the impugned order is set aside. However, liberty is granted to the Commission to pass a fresh order in accordance with law.

Parties through counsel are directed to appear before the Commission on 17.05.2018.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

23.04.2018

Pooja sharma-I

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No