

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

**CR No. 7395 of 2019
Date of decision: 21.11.2019**

Mithu Singh and another

...Petitioners

V/s.

**Shiromani Gurudwara Prabandhak
Committee and others**

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. R.V.S. Chugh, Advocate for the petitioners.

RITU BAHRI, J. (Oral).

The petitioners have come up in revision against the order dated 24.09.2019 (Annexure P-4) whereby in a suit for permanent injunction, an application under Order 1 Rule 10 CPC has been allowed and Shiromani Gurudwara Prabandhak Committee (hereinafter referred to as 'SGPC') has been impleaded as party.

A perusal of the order dated 24.09.2019 (Annexure P-4) shows that the applicant had placed on record a notification dated 12.01.1962 issued by Home Department in Punjab Govt. Gazette as per which Gurudwara Sahib Shri Guru Granth Sahib of village Ubha falls within the ambit of sub section 3 of Section 7 of Sikh Gurudwara Act 1925 and management and control of the same vests in the applicant i.e. SGPC Shri Amritsar Sahib. Since the petitioners had filed a suit for permanent injunction and as per the applicant, the owner of the land is SGPC Shri Amritsar Sahib, the application has been rightly allowed by impleading them as party.

Learned counsel for the petitioners *inter alia* contends that the grievance of the petitioners is only against respondents No. 2 to 10 who are threatening the petitioners to dispossess as they have been recorded as 'Gair Marusi'. It may be a case that they may be threatened to dispossess by respondents No. 2 to 10. However, keeping in view notification dated 12.01.1962, if SGPC is owner of the property, they have been rightly impleaded as necessary party as necessary evidence is required to be led who is owner of the land and injunction cannot be granted against the persons who are not even owners of the land.

With these observations, revision is dismissed.

21.11.2019
Divyanshi

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No