

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

Date of Decision: January 31, 2020

Versus

Civil Writ Petition No. 2452 of 2020

Versus

CORAM: HON'BLE MRS.JUSTICE LISA GILL

Mr. Abhaypal Singh Gill, AAG, Punjab.

Lisa Gill, J.

The petitioners (in both the petitions) claim to be the Trust looking after the management and overall affairs of Shri Ravidass Mandir, Banga. The controversy at hand is regarding organisation of the Nagar Kirtan and other festivities in connection with the occasion of GURPURAB falling on 09.02.2020. The petitioners in both the cases sought permission of the local Administration to carry out the Nagar Kirtan procession. The District Administration has declined permission to both the petitioners vide separate orders. The petitioner in CWP No.

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permission vide order dated 06.01.2020 attached as Annexure P13 with CWP No. 2104 of 2020 and vide order dated 08.01.2020 (Annexure P8) in CWP No. 2452 of 2020, similar relief has been declined to the petitioner therein.

It is not in dispute that civil litigation between the warring factions, each claiming to be the rightful registered 'Trust' is pending. The said proceedings were initiated by the petitioner in CWP No. 2452 of 2020 but interim relief of injunction has been denied to the said petitioner and its appeal against the same, dismissed as well.

During the course of the hearing in these proceedings, both the parties have arrived at an amicable resolution to the problem insofar as the holding of Nagar Kirtan and other festivities in connection with Gurpurab are concerned without prejudice to their rights in the civil litigation. It is submitted by learned counsel for both the parties that a Committee of the members of the petitioners – Trust in CWP Nos. 2104 and 2452 of 2020 has been decided to be constituted for organising the Nagar Kirtan and other festivities. A Committee of sixteen (16) members has been constituted with the consent of both the parties. Details of the said sixteen (16) members duly signed by the authorized signatories of both the petitioners, namely Daljit Singh and Baljit Rai has been furnished in Court today. The same is taken on record as 'Mark A'.

Learned counsel for the petitioners in both the writ petitions submit that the parties agree and undertake that keeping in view the sentiments attached with the occasion and spirit thereof, peace and harmony shall be maintained and it shall be ensured that no untoward incident comes to fore due to the otherwise pending dispute between the parties. The parties further undertake that the procession/Nagar Kirtan and all the festivities

shall be organised in a peaceful manner and in compliance with the conditions as may be imposed upon them by the Administration for carrying out the same.

Learned counsel for the State, on instructions from Sh. Bhadur Singh, Superintendent-II DC Office, SBS Nagar submits that in case assurance is given by both the parties, there does not appear to be any impediment to the grant of permission for taking out the Nagar Kirtan and conducting the festivities in accordance with provisions of law.

Keeping in view the facts and circumstances, particularly the consensus arrived at between the petitioners in both the matters, in case the said parties approach the Deputy Commissioner-cum-District Magistrate, SBS Nagar – respondent No. 2 for necessary permission, the same be considered and decided within two days in accordance with law.

Both the petitions are disposed of accordingly. Needless to say, the settlement arrived at between the parties is without any prejudice to their rights in the pending civil dispute and neither any opinion thereon has been expressed.

(Lisa Gill)
Judge

January 31, 2020
rts

Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No