

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

RSA-463-2021 (O&M)

Date of decision: 28.09.2021

Rajinder Kumar and another

....Appellants

Versus

Gram Panchayat, Rampura Bishnoian and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Rakesh Gupta, Advocate for the appellants
Mr. Karunesh Kaushal, Advocate for respondent no.1
Mr. Samarth Sagar, Addl. AG, Haryana

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Defendant no. 3 and 6 assail the correctness of the findings arrived at by the courts below while decreeing the suit. There is a religious place in Village Rampura Bishnoian, Tehsil Dabwali, District Sirsa. It is located on the land belonging to the Gram Panchayat. An annual religious fair (congregation) is organized there which generates a substantial income. Learned trial court has ordered the District Administration, Sirsa, to take over the control and management of the annual fair of the Temple in coordination with the Gram Panchayat, Village Rampura Bishnoian, so as to check the siphoning of the funds from any corner.

On 06.08.2021, a limited notice of motion was issued, after recording the following order:-

“Mr. Gupta contends that the first Appellate Court has travelled beyond the relief claimed while directing the District Administration to

take over the control of the management of the annual fair of the temple in coordination with the Gram Panchayat of Village Rampura Bishnoian, Tehsil Dabwali, District Sirsa. He submits that the appellants are interested in securing the amount received during the annual fair, which is to be held for a period of seven days in a calendar year. He further submits that the appellants are open to suggestions for managing the affairs in a proper manner so as to avoid any siphoning of the funds of the religious institution.

Notice of motion for 23.08.2021 to respondent No.1 only.

Process dasti as well.”

Sh. Karunesh Kaushal, learned counsel representing the Gram Panchayat, Village Rampura Bishnoian, states that the Gram Panchayat will open a new account in the name of the religious place in which all the income from the annual fair as well as the religious place will be deposited and spent. He further submits that proper accounts will be maintained, which will be open to scrutiny by the District Administration as well as residents of the Village Rampura Bishnoian.

Keeping in view the fair stand taken by the learned counsel representing respondent no.1-Gram Panchayat, learned counsel representing the appellants prays that the appeal may be disposed of accordingly.

Ordered accordingly.

All the pending miscellaneous applications, if any, are also disposed of.

28.09.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE