

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

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**CR-56 of 2021(O&M)
Date of Order: 26.05.2022**

Jagjit Singh and others

..Petitioners

Versus

Jaspal Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Vanita Sapra Kataria, Advocate, for the petitioners.
Mr. Deepak Gupta, Advocate, for the respondents.

ANIL KSHETARPAL, J(Oral)

Sikh Gurudwara Judicial Commission (hereinafter referred to as 'the Commission'), Amritsar, has restrained the members of the local managing committee to run the affairs of a Sikh Gurudwara after finding that there are prima-facie allegations of embezzlement of the amount of offerings received by the Gurudwara. The Commissioner has appointed a receiver to manage the affairs of the Gurudwara, till the time, the matter is pending with the Commission. The Commissioner has all the trappings of a civil court. Prima-facie, it has come in evidence that the members of the Committee embezzled the salary of a former manager who was drawing only Rs.1/- as the token salary. In a subsequent proceedings, the President of the Committee paid the amount to an NGO on the instructions of the manager.

The learned counsel representing the petitioners contends that there is no concrete evidence to prove that the members of the Managing Committee embezzled the said amount. She further contends that such proceedings are initiated on account of the politics in the management of the Sikh Gurudwara Prabandhak Committee.

The Commission is an independent body constituted under the Sikh Gurudwara Act, 1925. While deciding the matter, the Commission has

powers to pass the interim orders. The Commission has appointed a receiver while directing such receiver to render accounts to the Commission. The main matter is still pending before the Commission. While deciding an interim application, the Commission is not required to record a findings of fact. Such applications are decided on the basis of the material available. The Commission has formed an opinion on the basis of the material which was produced before it.

Hence, no ground to interfere is made out.

Dismissed.

However, the Commission is requested to conclude the proceedings, positively, within a period of 6 months, from today.

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

May 26, 2022

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(ANIL KSHETARPAL)
JUDGE

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