

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 5520 of 2019

Date of Decision: 08.12.2022

Mahant Chander Dass

... Petitioner(s)

Versus

Mandir Shri Sita Ram Thakurji Maharaj and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Manoj Kaushik, Advocate
for Mr. Nilesh Bhardwaj, Advocate
for the petitioner(s).

Mr. R.D.Yadav, Advocate
for the respondent No.1.

Mr. Harsh Vardhan Shehrawat, Assistant Advocate General,
Haryana and Mr. Jaspal Singh Pannu, Assistant Advocate
General, Haryana, for the respondent No. 2 and 3.

Mr. P.S. Saini, Advocate
for the respondent No.4 and 5.

Mr. Daanish Mahajan and Mr. Jaskirat Singh, Advocates
for Mr. Prateek Mahajan, Advocate
for the respondent No.6.

Anil Kshetarpal, J.

1. The learned counsel representing the petitioner has informed the Court that the petitioner has passed away. Be that as it may.

2. In an inter party civil suit, late Mahant Chander Dass was declared entitled to the inheritance of the temple along with the property situated therein. The proceedings under Section 30 of the Land Acquisition Act, 1894, are pending. An application filed by late Mahant Chander Dass

passed by the Civil Court is not final but is the subject matter of appeal. As of now, the decree is in favour of late Mahant Chander Dass. The dispute is with regard to the entitlement and apportionment of the compensation for the involuntary acquisition of the temple's property. Hence, the petitioner is a proper party.

3. Consequently, the revision petition is allowed and the impugned order dated 14.08.2019 is set aside. The legal representatives of late Mahant Chander Dass, if any, shall be entitled to participate in the proceedings. Needless to observe that the Court, while deciding the main case, shall decide the *inter se* rights between the parties.

(Anil Kshetarpal)
Judge

December 08, 2022

"DK"

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No