

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

288

**CWP-8757-2023
Date of Decision: 24.08.2023**

GURDIAL SINGH AND ANOTHER

... Petitioners

VERSUS

**SHIROMANI GURDWARA PARBANDHAK COMMITTEE
AND OTHERS**

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Dinesh Kumar, Advocate
for the petitioners.

Mr. M.S. Virk, Advocate
for respondents No.1 to 7.

Mr. P.S. Guliani, Advocate
for respondent No.8.

VINOD S. BHARDWAJ, J. (ORAL)

The present petition has been filed for seeking issuance of directions to the respondents to hand over the charge of Gurudwara Sahib Nanaksar, Cheema, District Sangrur.

Learned counsel for respondent No.8 has apprised that the appointment of the said respondent as Receiver was pursuant to the judgment dated 29.02.2020 passed by the Sikh Gurudwara Judicial Commission, Amritsar in case No.21 of 2017 instituted on 03.11.2017. The petitioners herein were respondents No.4 and 5 therein and they were duly represented in the said proceedings. The abovesaid judgment is subject matter of challenge in FAO No.2795 of 2020 filed by the other three respondents before this Court, whereas the petitioners herein did not opt for preferring any appeal. The said FAO is

now pending before this Court for 06.10.2023. The petitioners are perform respondents in the said FAO. Respondent No.8 has also filed an FAO No.1176 of 2021, wherein also the petitioners have been impleaded as respondents. However, all the abovesaid factual aspects were concealed by the petitioners while filing the present writ petition.

The conduct of the petitioners is deprecated. It seems that non-disclosure about the proceeding that took place before the Sikh Gurudwara Judicial Commission, Amritsar was a deliberate act on the part of the petitioners as it cannot be conceived that they were not aware of the judgment passed by the Sikh Gurudwara Judicial Commission, Amritsar, especially when they were duly represented.

This Court was inclined to impose heavy costs upon the petitioners herein, however, on the repeated requests made by learned counsel for the petitioners, this Court abstains from imposing any costs.

Learned counsel for the petitioners seeks permission to withdraw the present petition with liberty to take recourse to the alternative remedies available to the petitioners in accordance with law.

Dismissed as withdrawn with the liberty as aforesaid.

AUGUST 24, 2023

rajender

**(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No