

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-101-CWPIL-2023 in/and CWP-PIL-16-2020

Date of decision : 05.01.2024

H.C. Arora, AdvocatePetitioner
Versus
State of Punjab and othersRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE NIDHI GUPTA

Present: Mr. H.C. Arora – Petitioner in person, with
Ms. Sunaina, Advocate.

Ms. Anu Pal, Senior DAG, Punjab.

RITU BAHRI, ACTING CHIEF JUSTICE (Oral)

CM-101-CWPIL-2023

This is an application filed by the petitioner for pre-ponement of the date of hearing of the main petition.

Notice of the application.

Ms. Anu Pal, learned Senior Deputy Advocate General, Punjab, accepts notice on behalf of respondents No.1 and 2; and Mr. Mrigank Sharma, Advocate, accepts notice on behalf of respondent No.3.

With the consent of learned counsel for the parties, the main petition is being taken up today for hearing.

Application is, accordingly, allowed.

CWP-PIL-16-2020

1. The petitioner has filed this Public Interest Litigation seeking direction to the respondents to take steps for preservation and

protection of the Haveli Todar Mal (Jahaz Mahal), Fatehgarh Sahib (hereinafter referred to as “the monument”), and also for removing the illegal constructions raised by SGPC, Sri Amritsar Sahib (respondent No.3) within the premises of the monument.

2. Learned Senior Deputy Advocate General, Punjab, refers to the short reply dated 18.12.2023, filed by way of affidavit of the Additional Secretary, Cultural Affairs, Archaeology and Museums, Punjab, whereby copy of a letter dated 14.12.2010 (Annexure R-2/1), addressed to respondent No.3 has been placed on record. Vide the said letter, respondent No.3 – SGPC was asked to conserve and restore the monument, as it became owner of the land on which the monument was constructed. The respondents – State have also placed on record inspection report dated 30.12.2013 (Annexure R-2/2), whereby the conservation work of the monument was found satisfactory. Learned State counsel, while referring to the Minutes of Meeting dated 05.12.2023 (Annexure R-2/3), submits that a meeting under the Chairmanship of the Principal Secretary, Tourism and Cultural Affairs, Punjab, was held on 05.12.2023, which was also attended by the petitioner and respondent No.3. A decision was taken to hire an agency/team specialized in the conservation of ancient buildings for the conservation of the monument. It was further agreed that the members of the heritage foundation, the petitioner and the District administration will jointly visit the monument and the Engineer of the Department will be present there.

3.

Learned counsel for respondent No.3 – SGPC informs that after the monument is restored, it will be utilized for tourism purposes as per the guidelines issued by the Archaeological Survey of India (ASI).
4.

Since a decision has already been taken for conservation of the monument by hiring an agency/team, no further direction is required to be issued in this petition.
5.

Disposed of accordingly.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(NIDHI GUPTA)
JUDGE

January 05, 2024
ndj

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