

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CIVIL MISCELLANEOUS JURISDICTION No.1423 of 2024**

Sri Gyani Ranjit Singh @ Ranjit Singh son of Late Yaswant Singh @ Jaswant Singh At Present Jathedar of Takht Sri Harimandir Ji, Patna Saheb, Patna. R/O house no-9 Sector 2 Gurugyan Vihar Model Town S.O Ludhiana Punjab 141002

... .. Petitioner/s

Versus

1. Manmeet Singh Son of Sardar Daljit Singh, a sangat member of Takht Sri Harmandir Ji, R/o- Kalisthan Ganga Babu Ki Theki, P.O.- Begumpur, Patna City, District. Patna-800008.
2. Prabandhak Committee, Takht Sri Harimandir Ji, Patna Saheb, Patna 800008 through its General Secretary.
3. Mahendra Pal Singh Dhillon, S/o late Bakshi Singh, R/o- Kachhi ghat, P.O.- Chowk, Patna 800008, General Secretary of the Prabandhak Committee, Takht Sri Harimandir Ji, Patna Saheb
4. Sardar Avtar Singh Hit S/o- late Sardar Harnam Singh R/o- I/B 307, Hari Nagar, New Defhi-110064/Z-B Rajouri Garden New Dethi-110027, President of the Prabandhak Committee, Takht Sri Harmandir Ji, Patna Saheb Sardar Raja Singh, S/o lete Sohan Singh Azad, R/o Moballa- Harimandir Gali, P.S.- Chowk, Patna city.
5. Jathedar Gyani Iqbal Singh S/o Soban Singh R/o Takht Sri Harimandir Ji. Patna Saheb, Patna, Permanent R/o House No.39 B-Block, Darshan Avenue, Sultan Wind, Amritsar, Punjab.
6. Sardar Raja Singh Son of Late Sohan Singh Azad, R/o Mohalla- Harmandir Gali, P.S.- Chowk, Patna City Distt- Patna.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Majid Mahboob Khan, Advocate  
For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL JUDGMENT**

**Date : 05-02-2025**

Record has been taken up on mentioning being made  
on behalf of the petitioner.

2. The petitioner is aggrieved by the judgment dated  
15.09.2021 passed by learned District Judge, Patna in Misc.



Case No. 36 of 2019.

3. Heard learned counsel for the petitioner.

4. Learned counsel for the petitioner submits that the impugned order has been passed without consideration of fact and the law applicable. One Gyani Iqbal Singh in whose favour the impugned order has been passed was the Jathedar and he submitted his resignation but the learned trial court held the acceptance of the resignation letter to be not valid and it was declared null and void. Learned trial court ordered that respondent no. 5 Gyani Iqbal Singh was entitled to consequential benefits treating the job to be continuous from 05.03.2019 and directed for reinstatement of Gyani Iqbal Singh as Jathedar of Sri Takht Harimandir Ji, Patna Saheb, Patna and Misc. Case No. 36 of 2019 was allowed with all consequential benefits. But on the date of passing of the impugned order, respondent no. 5 Gyani Iqbal Singh had already attained the age of superannuation as his date of birth is 04.07.1958 and age of superannuation is 63 years according to resolution of Prabandhak Committee and there was no question of his reinstatement. However, the learned trial court did not consider this fact and passed the order. Moreover, the present petitioner was not made party and the impugned order was passed against



the principles of natural justice as the petitioner had been appointed as Jathedar vide resolution dated 09.09.2019 after respondent no. 5 tendered his resignation on 03.03.2019.

5. Learned counsel for the petitioner has failed to apprise this Court why the petitioner has not approached this Court earlier though it has been submitted that earlier a writ petition being C.W.J.C. No. 19086 of 2021 has been filed but the same was dismissed in default on 27.06.2023 and M.J.C. No. 2484 of 2024 was filed for its restoration. But C.W.J.C. No. 19086 of 2021 was not restored and M.J.C. No. 2484 of 2024 was disposed of on submission of learned counsel that as the said petition had been filed after a great delay for more than a year, the petitioner be granted liberty to agitate his subsisting grievances, if any, by taking recourse to the due process of law. Liberty, so sought, was granted. Filing of a civil writ under Article 226 of the Constitution of India and allowing it to be dismissed in default and thereafter, filing a belated restoration petition and seeking its disposal by the petitioner speaks for itself that the petitioner wants to keep the matter alive and towards this end he has again approached this Court. It seems the petitioner is not genuinely interested in challenging the order of the learned District Judge, Patna, otherwise he would have



approached this Court at the first instance. The petitioner has allowed the claim to become stale and has approached this Court at a very belated stage.

6. The petitioner has assailed the order dated 15.09.2021 passed in Misc. Case No. 36 of 2019 by learned District Judge, Patna mainly on the ground that the order passed in favour of respondent no. 5 was wrong as respondent no. 5 had already attained the age of superannuation and for this reason the order for his reinstatement as Jathedar of Takht Sri Harimandir Ji, Patna Saheb, Patna is wrong and incorrect. The recourse open to the petitioner was to approach the same court seeking modification of the order, if this fact was earlier not brought to the notice of the learned trial court, the same could not be agitated for the first time before this Court. In any case the impugned order is a speaking order and the learned trial court has recorded its reasons for allowing the miscellaneous case and this Court in exercise of power under Article 227 of the Constitution of India would not like to interfere with the impugned order as there appears no excess or want of jurisdiction. Hence, the impugned order dated 15.09.2021 is affirmed.

7. Accordingly, finding no merit in the present



petition, the same is dismissed. However, the petitioner is at liberty to take up the issue regarding respondent no. 5 attaining the age of superannuation on the date of judgment dated 15.09.2021 and his other grievances before the learned trial court in an appropriate proceeding permissible under the extant provisions of law.

(Arun Kumar Jha, J)

DKS/-

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