



CWP-13317-2026

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

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CWP-13317-2026

Date of Decision: 01.05.2026

**Dera Sidh Baba Sulakhan Nath and others****...Petitioners****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. P.K. Mutneja, Senior Advocate with  
Mr. Brijesh Kumar, Advocate for the petitioners  
Mr. Ishan Kaushal, Assistant Advocate General, Punjab  
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**JAGMOHAN BANSAL, J.** (Oral)

1. The petitioners through instant petition under Article 226 of the Constitution of India are seeking direction to respondent Nos. 1 to 4 to restore possession of Dera to petitioners Nos.2 and 3 in compliance of order dated 11.09.2018 passed by this Court in *CWP No.11343 of 2018*.

2. Petitioner No.2 was declared as Mahant of the Dera Sidh Baba Sulakhan Nath, Hussainpura, Badhochhi Kalan (for short '**Dera**') and claims himself to be legitimate Mahant as declared vide judgment and decree dated 18.08.2011 passed by learned Civil Judge, (Senior Division), Fatehgarh Sahib. Respondent No.2 moved application before Station House Officer, Mullepur to take control of the Dera. Sub-Divisional Magistrate, Fatehgarh Sahib vide order dated 12.04.2018 restrained both parties from taking possession of Dera and Tehsildar, Fatehgarh Sahib was appointed as Receiver. Petitioner No.3 challenged order dated 12.04.2018 before this Court by way of *CRM-M-15779-2018* and this Court vide order dated



19.04.2018 stayed order dated 12.04.2018. Petitioner No.3 filed *CWP No.11343 of 2018* before this Court seeking restoration of Dera's property. This Court allowed the petition and vide order dated 11.09.2018 directed respondents to hand over Dera's possession to petitioner No.3. Respondent No.6-SHO, Police Station Mulepur, Fatehgarh Sahib, pursuant to order of this Court, gave symbolic possession to petitioner No.3 on 27.09.2018 and on the very next day arrested petitioner No.3 and handed over possession to respondent No.5.

3. Learned senior counsel appearing for the petitioners submits that despite order of Civil Court as well as this Court in favour of the petitioners, the respondents are not handing over possession of the Dera. The respondents are disobeying orders of Civil Court as well as this Court.

4. On being asked, learned Senior counsel submits that *COCF No.350 of 2025* for non-compliance of order dated 11.09.2018 was filed before this Court, however, it was withdrawn with liberty to avail remedies as per law.

5. Heard the arguments and perused the record.

6. The petitioners are claiming possession of Dera. The petitioners themselves are claiming that there is order dated 11.09.2018 passed by this Court whereby the respondents were directed to hand over Dera's possession to petitioner No.3. By this petition also, they are seeking possession of the Dera. During the existence of order dated 11.09.2018, there seems no reason to pass fresh order because it would amount to re-writing or sitting over order dated 11.09.2018 passed by this Court.

7. In the backdrop, no further order is warranted.



8. The petitioners are at liberty to avail remedies as permissible by law.

(JAGMOHAN BANSAL)  
JUDGE

01.05.2026  
Mohit Kumar

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |