

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).32452-32453/2013

(From the judgement and order dated 09/10/2013 in WPC No.4924/2013,CMA No.14098/2013 of The HIGH COURT OF DELHI AT N. DELHI)

KALKAJI MANDIR VIKRETA SANGATHAN-II

Petitioner(s)

VERSUS

PIYUSH JOSHI & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 21/10/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN  
HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s) Ms. Harvinder Chowdhury, Adv.  
Mr. Nishesh Sharma, Adv.  
Mr. Ramesh Chand, Adv.  
Ms. Manju Jetley, Adv.

For Respondent(s) Mr. R.K. Khanna, ASG  
Ms. Richa Pandey, Adv.  
Mr. Shashank Bajpai, Adv.  
Ms. Seema Rao, Adv.  
Mr. D.S. Mahra, Adv.

Mr. Satyendra Kumar, Adv.  
Mr. R.K. Bhardwaj, Adv.  
Mr. Dheeraj Bhardwaj, Adv.

Mr. Sanjiv Sen, Adv.  
Mr. Anirudh Gupta, Adv.  
Mr. P. Parmeswaran, Adv.

UPON hearing counsel the Court made the following  
O R D E R

1. Mr. R.K. Bhardwaj, learned counsel for respondent No. 3 may produce sufficient material to show that the land initially had not been endowed to the deity rather it had been given to the Pujaris who claim to inherit the said property and manage the same.

2. In Volume II of the paper book at page 157, there is a document which shows that the Municipal Corporation had allotted the piece of land measuring 7' X 5' PCO to one Mr. Manish Jain, from handicapped quota, near Fire Brigade Office. Therefore, Mr. Sanjiv Sen, learned counsel appearing for respondent no. 7 Municipal Corporation of Delhi may explain under what authority of law, such an allotment had been made and how many such allotments have been made by the Corporation.

3. Mr. R.K. Khanna, learned ASG along with Mr. D.S. Mahra, Advocate appearing for respondent nos. 8 and 9 is directed to take notice on behalf of respondent nos. 2 and 4 and he assures us that some responsible officer of the respondent nos. 2 and 4 shall file an affidavit at the earliest making everything clear regarding the ownership, title, entitlement of the land inside the temple and around the temple, its area and who was the donor of the land and whether it was given to the deity or Pujaris and in case it had been given to the deity, under what circumstances, the administration had remained a silent spectator when so much encroachment had been made illegally on the land and under what circumstances the Pujaris etc. are accepting the rent from the tenants, if any.

4. In spite of service on respondent no. 6 DDA, none appears. Ms. Binu Tamta, Adv. is directed to take instructions and file its reply by next date.

List the matters on 18.11.2013 at 2.00 p.m. Interim order granted on 12th October, 2013 shall continue till then.

	(DEEPAK MANSUKHANI)		(M.S. NEGI)	
	Court Master		Court Master	