

CWP No. 1456 of 2017

5.7.2017 Present Ms. Jyotsna Rewal Dua with Ms. Charu Bhatnagar, Advocate, for the petitioners.

Mr. Shrawan Dogra, Advocate General with Mr. Anup Rattan, Additional Advocate General and Mr. J.K. Verma, Deputy Advocate General, for respondents No.1 to 4.

CWP No. 1456 of 2017 & CMP No. 5107 of 2017

Notice. Mr. J.K. Verma, Deputy Advocate General, waives notice on behalf of respondents No.1 to 4.

Separate notice, returnable on **26.7.2017**, be issued to respondent No. 4, on taking steps within one week.

2. From the correspondence so placed on record, it is apparent that, from time to time, authorities at the highest level have been directing removal of unauthorized encroachment from the temple premises, owned by the Deity. As also consider taking over of the temple under the Himachal Pradesh Hindu Public Religious Institutions and Charitable Endowments Act, 1984.

3. We find that way back on 23.3.2012 the State Government had directed the Deputy Commissioner, Sirmaur at Nahan to initiate such action for removal of unauthorized encroachments as also examine the feasibility of taking over management of the temple. Petitioner contends that no action

thereupon has been taken and property of the Deity is being frittered away and encroached upon by unscrupulous persons.

4. In these circumstances, we direct the Deputy Commissioner, Sirmaur at Nahan (respondent No.4) as also the Executive Officer of the Municipal Council, Nahan (respondent No.5) to personally visit the spot and prepare a report, with regard to status of property of the Deity, and, file the same within a period of two weeks from today. They shall also ensure taking such steps as may be found necessary for protecting the property from unscrupulous persons.

5. In the meanwhile, let appearing respondents file response within two weeks.

List on **26.7.2017**.

(Sanjay Karol)
Acting Chief Justice

(Sandeep Sharma)
Judge

July 5, 2017
(Vikrant)