

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA****CWPIL No.101 of 2025**
Decided on : 03.08.2026

Mangat Ram

...Petitioner

Versus

State of HP and Ors.

...Respondents.

*Coram****Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice.******Hon'ble Mr. Justice Bipin Chander Negi, Judge.****Whether approved for reporting?¹*For the petitioner : Mr. Sanjeev Bhushan, Sr. Advocate with
Mr. A.K. Sharma, Advocate.For the respondent(s) : Ms. Priyanka Chauhan, Deputy
Advocate General.**G.S. Sandhawalia, Chief Justice** (Oral)

In the present petition, the primary relief sought is for the issuance of directions to take over the administration of respondent No. 10—Dera Baba Shri Rudranand Ji Trust, managed through its Managing Trustee, Sh. Hemanand Ji Maharaj @ Hira Lal. Additionally, directions are sought requiring full disclosure of the properties and bank accounts of the said Trust. Further, a declaration is sought to the effect that all decisions taken by the Mohatmim over the preceding three years be declared null and void from its inception.

¹ Whether the reporters of the local papers may be allowed to see the Judgment? Yes



2. The Trust deed is dated 5th May 1994, and would thus be the subject matter of consideration, which had undergone amendment on 5th October 2024.

3. On 17th November, 2025, we had asked the learned Senior Counsel for the petitioner to assist the Court on the aspect, as to whether the issue raised in the petition would have to be dealt with under Section 92 of the C.P.C. and thereafter, the said observations was also made on 17th December, 2025, keeping in view the order passed by us in ***FAO(OS) No.1 of 2024, titled Himinder Lal and Ors. Vs. Madan Lal and Ors.***, decided on 28th November, 2025, and also the law laid down by the Apex Court in its authoritative pronouncement in ***Operation Asha Vs. Shelly Bata and Ors. (2026) 1 SCC 569.***

4. It is not disputed that an amount of ₹1,000,000/- has also been deposited with the Registrar General of this Court on account of the direction issued to ensure that there was a bona fide's of the petitioner, being in the form of a Public Interest Litigation.

5. In ***Himinder Lal's*** case, this Court was dealing with an appeal and while upholding the order of the learned Single Judge, whereby the application under Order 7 Rule 11



CPC had been dismissed, and the defendants as such had been aggrieved against the said order, accordingly, we had come to the conclusion that the suit under Section 92(1)(h) would lie, and the power of the Court would depend upon what relief is to be granted, and whether the alienation in question was justified only after evidence is led in the suit.

6. The Apex Court in ***Operation Asha's*** case *supra* has held that if the Trust in question is created for a public purpose of charitable/religious nature and there is a breach of direction, then the jurisdiction as such would lie by filing a suit under Section 92 of CPC, which is of a special nature.

7. In such circumstances, we are of the considered opinion that the present petition in the form of a Public Interest Litigation as such would not lie. Faced with this situation, learned counsel for the petitioner submits that he may be permitted to withdraw the petition.

8. Accordingly, the petition is dismissed as withdrawn, with liberty reserved to the petitioner to avail the remedy in accordance with law, if desirable. Pending miscellaneous application(s), if any, also stands disposed of accordingly.



9. Since we have not issued notice to the respondents, therefore, the sum of ₹1,000,000/-, as such be refunded to the petitioner on supplying details of his bank account.

(G.S. Sandhawalia)
Chief Justice

(Bipin Chander Negi)
Judge

03rd August, 2026
(Gaurav Rawat)