



IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA 2025:HHC:39675

COPC No.1128 of 2025

Decided on: 24th November, 2025

Devta Aadi Bharama

.....Petitioner

Versus

Nishant Kumar

.....Respondent

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Ankit Dhiman, Advocate.

For the Respondent: Mr. Rajat Choudhry, Assistant Advocate
General.

Jyotsna Rewal Dua, Judge

Following order was passed in this matter on
29.10.2025 taking note of petitioner's allegations of
respondent's alleged violation of the order dated 13.11.2024
as maintained in the decision rendered in **Devta Aadi**

Brahma Versus State of H.P. & Ors.²:-

*"Notice. Mr. Y.P.S. Dhaulta, learned Additional
Advocate General, appears and waives service of
notice on behalf of the respondent.*

*2. Learned Senior Counsel for the petitioner
submits that in terms of order dated 13.11.2024,
which was in turn ordered to be maintained under
judgment dated 17.09.2025 rendered in CWP
No.10966 of 2024 (Devta Aadi Bharama Versus State
of H.P. and others), the control of "Assets and liability
of the Devta Aadi Brahma shall remain with SDM and
would not be passed to another Committee, if any,*

¹ Whether reporters of print and electronic media may be allowed to see the order? Yes

² CWP No.10966 of 2024, decided on 17.09.2025



constituted". Inviting attention to order dated 16.10.2025 (Annexure P-11 Colly.), it was submitted that the respondent-Sub-Divisional Magistrate (SDM), Kullu has constituted several committees including the ones directed to deal with the financial matters and maintain accounts pertaining to bills, vouchers and expenditure etc.

3. *Prima facie*, there appears to be substance in the grievance raised by the petitioner as under the aforesaid two orders, the assets and liability of Devta Aadi Brahma were to remain only with the SDM and were not to be passed on to any committee.

4. Learned Senior Counsel for the petitioner further submits that under order dated 13.11.2024, which as noticed earlier, has been directed to be abided in the judgment dated 17.09.2025, no obstruction or harassment of any kind was to be caused in performance of pooja by the petitioner in capacity of Kardar not only by the respondent-SDM Kullu, but also by any other official including Police. Inviting attention to Annexure-P10, it has been submitted that the above direction is also being violated as Police is being called to the premises and is causing obstruction/harassment in performance of pooja of the Deity.

5. Let the respondent to file reply to the contempt petition within a week.

List on 06.11.2025.

Respondent to ensure that judgment dated 17.09.2025 is strictly adhered to."

2. Pursuant to the above order, detailed instructions were placed on record by the learned Assistant Advocate General for the respondent. In terms of these instructions:- 'vide order dated 16.10.2025, internal committees had been formed for the sake of administrative efficiency in order to manage the affairs of the deity as per local customs and traditions; The committees are only facilitative in nature with no control over finances and assets; The committees have been tasked with reporting



and accounting only with those aspects, which have direct bearing on assets and properties; No assets or property whatsoever in any shape have been handed over to these committees as all payments and transactions are executed after authority letter from the SDM Kullu. Respondent has also explained that constitution of the committees was necessary as the temple of the deity is situated at the top of the hill around 22 kilometres away from the district headquarters and a large number of followers pay their tribute therein. It has also been pointed out that no obstruction or infringement has been caused to the *Kardar* in performance of *pooja* or any of his functions in the capacity of *Kardar*. That the function of *Kardar* in one aspect has been limited as management of finances stands separated; The visits of the officials to the temple have also been for furtherance of the management of assets & properties and for maintaining general law & order; There is no instance of any interference with the core function of *Kardar*.'

3. Learned Assistant Advocate General also pointed out the mandate of the committees outlined in the order dated 16.10.2025 passed by the respondent as under:-



“Mandate of the Committee:

- 1. The Committees shall continuously and periodically verify all bills, vouchers, works, and expenditure claims submitted in respect of Devta Adi Brahma.*
- 2. The Committees shall ensure that the works or services claimed have been genuinely executed, and that all supporting documentation is complete and accurate.*
- 3. After each verification, the Finance Committee shall in consultation/recommendation with the BDO Kullu shall submit its written recommendation to the undersigned for consideration.*
- 4. Based on the recommendations of the Finance Committee, the undersigned shall issue authority letters from time to time to the concerned bank for the release of funds, subject to satisfaction regarding the correctness and legitimacy of the claims.*

Further, it is made clear that the above mentioned functions shall not in any way affect the role of Kardar as delineated by the Hon'ble High Court vide its order dated 13.11.2024 in CWP 10966 of 2025 wherein his rights with respect to performance of Pooja and residence is concerned.

Issued under my hand and seal on this the 16th of October, 2025 in compliance with the orders of the Hon'ble High Court of Himachal Pradesh.”

4. The stand of the respondent given in form of instructions/reply dated 31.10.2025 is supported by the mandate of the committee outlined in the order dated 16.10.2025. Hence, the allegations of contempt levelled by the petitioner are not made out. However, looking to the submissions of the petitioner, on 19.11.2025, learned Assistant Advocate General was directed to have instructions about re-constitution of the committees from amongst the persons, who are not involved in the litigation.



Pursuant thereto, learned Assistant Advocate General placed on record fresh instructions dated 22.11.2025 from the respondent, which, *inter alia*, convey as under:-

- “2. It is also pertinent to mention herein that recently on 21.11.2025 in view of the orders *supra* a meeting was called for at the temple complex at Rolgi for the purpose of nomination of persons for inclusion in the new committees amongst various other administrative issues of the temple. However, none of the representatives of the Kardar turned up for the same despite due intimation in advance and numerous attempts telephonically as well. The meeting was to ensure that neutrality of any person so comprising in these committees is not disputed by any faction. However, due to constant obduracy and absence of the party no person could be nominated as such.
3. Therefore, it is further submitted that committees as reconstituted shall strictly be comprised of persons not involved in litigation. However, at present in view of recent consecrations ceremony and in order to ensure reconciliation and management of account the committees as currently constituted require further continuation for a limited period up to 12th December, 2025. This is due to the reason that the deity Aadi Brahma in its Rath form will be on entourage from 4th December 2025 till 12th December 2025 before closing of the temple till April 2026. In the meanwhile, only occasional rituals will take place as per local tradition and no large scale events are organised. The account reconciliation and management will be carried out at the conclusion of this entourage.
4. Furthermore, it is imperative to mention here that all the income and expenditure of the deity is required to be laid down before the deity itself and its Haryans (believers) at large in the upcoming congregation in this entourage. This exercise is a mandate of local tradition and custom which is required to be performed by the current committees.

Therefore, it is prayed that committees as currently comprised are continued till 12th December, 2025 or closing of the entourage of deity Aadi Brahma. Furthermore, new committees comprising of neutral person shall be constituted to avoid any conflict and discord.”



5. Learned Assistant Advocate General under instructions submits that new committees comprising of neutral persons in order to avoid any conflict and discord will be constituted within a week after 12.12.2025.

Taking note of above, the present contempt proceedings are closed. Notice issued to the respondent is discharged.

November 24, 2025
Mukesh

Jyotsna Rewal Dua
Judge