

ITEM NO.102

COURT NO.3

SECTION III-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).1959/2010

VIJAY PRATAP SINGH

Appellant(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

Date : 22-10-2019 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE KRISHNA MURARI

For Appellant(s) Mr. Kuriakose Varghese, Adv.
Mr. V. Shyamohan, AOR
Mr. Udai Rathore, Adv.
Mr. Surya Prakash, Adv.
Ms. Monalisha Chowdhury, Adv.
Ms. Sohini Chowdhury, Adv.
Ms. Isha Ghai, Adv.

For Respondent(s) Mr. Ranjeet Kumar, Sr.Adv.
State of U.P. Ms. Garima Prashad, AOR

Mr. S.R. Singh, Sr.Adv.
Mr. Mitr Rao, Adv.
Ms. Shweta Yadav, Adv.
Mr. Adarsh Verma, Adv.
Ms. Sunita Pandit, Adv.
Mr. Yash Pal Dhingra, AOR

Mr. Gaurav Agarwal, Adv.
Mr. Shashank Singh, Adv.
Mohd. Waqus, Adv.
Mohd. Asad Khan, Adv.
Mr. Tapesh Kumar Singh, AOR

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

In compliance with the order dated 17.10.2019, the Additional Chief Secretary, Government of Uttar Pradesh, Department of Dharmarth Karya is personally present in the Court today. As such, his personal presence is dispensed with.

On 17.10.2019, we had sought information from the learned Additional Advocate General appearing on behalf of the State of Uttar Pradesh regarding any legislation pertaining to the management of temples and religious endowments in the State. Pursuant to the same, the Additional Chief Secretary, Government of Uttar Pradesh has filed an affidavit dated 20.10.2019, paragraph 6 of which reads as under:

"6. That in the event the any worshipper or interested persons have any grievance with respect to the maintenance of such institution of charitable or religious nature, they have remedy under various provisions of the Civil Procedure Code, 1908, including Section 92 C.P.C. to seek appropriate relief from a competent Civil Court.

It is respectfully submitted that the State Government has no intention to manage and operate any religious or charitable institution or place unless the same is required to maintain public order"

On a perusal of the abovementioned affidavit, more particularly the paragraph quoted above, it appears that the State Government is not interested in enacting any legislation which takes care of the issues relating to temples and religious endowments, and has limited its role only to the maintenance of public order.

On 17.10.2019, we had indicated to the learned Additional Advocate General about the larger public interest involved in the management of temples and other religious endowments in the State of Uttar Pradesh. On this issue, learned senior counsel appearing on behalf of the State of Uttar Pradesh seeks additional time to get proper instructions.

Learned senior counsel also seeks permission to file an

additional affidavit. He is permitted to do so with a copy in advance to the other side.

List the matter after 6 weeks.

(SATISH KUMAR YADAV)
AR-CUM-PS

(RAJ RANI NEGI)
ASSISTANT REGISTRAR