

ITEM NO.6

COURT NO.5

SECTION XIV

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 (C) No(s).32452-32453/2013

(Arising out of impugned final judgment and order dated 09/10/2013 in WPC No. 4924/2013,09/10/2013 in CMA No. 14098/2013 passed by the High Court Of Delhi At New Delhi)

KALKAJI MANDIR VIKRETA SANGATHAN-II & ORS

Petitioner(s)

VERSUS

PIYUSH JOSHI & ORS.

Respondent(s)

(with appln. (s) for exemption from filing O.T. and impleadment and intervention and placing addl. facts and documents on record and interim relief and office report)

WITH

SLP(C) No. 32845/2013

(With appln.(s) for permission to file additional documents and Interim Relief and Office Report)

S.L.P. (C)...CC No. 20364/2014

(With appln.(s) for permission to file SLP and Office Report)

Date : 17/09/2015 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA  
HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. Sonal Jain, AOR  
Ms. Heena Sharma, Adv.  
  
Mr. Ramesh Kumar Mishra, Adv.  
Mr. Krishna Kumar, Adv.  
Mr. Rohit Kumar Singh, AOR  
  
Mr. Harish Bhardwaj, in-person  
  
Mr. Sarvesh Bhardwaj, in-person

For Respondent(s) Ms. Pinky Anand, ASG  
Mr.P.K. Dey, Adv.  
Ms.Haripriya Padmanabhan, Adv.  
Mr.D.S. Mahra, AOR  
Mr.Balendu Shekhar, Adv.

Dr. Rajeev Dhavan, Sr. Adv.  
Mr. Kabir Ghosh, Adv.  
Mr. Prabhas Chandra, Adv.  
Ms. Ipsita Behura, Adv.  
Mr. Ritesh Dhar Dubey, Adv.  
Ms. Sumita Hazarika, AOR

Mr. Mahabir Singh, Sr. Adv.  
Mr. Gorav Sharma, Adv.  
Mr. Ramehswar Prasad Goyal, AOR

Mr. Abhijit Sengupta, AOR

Mr.Arun K. Sinha, AOR  
Mr.Basant Kumar Gupta, Adv.  
Mr.Sumit Sinha, Adv.  
Mr.Rakesh Singh, Adv.

Mr. Balraj Dewan, AOR

Mr. Bimal Roy Jad, AOR

Mr. B. Ramanamurthy, AOR

Mr. Anil Kumar Sharma, Adv.  
Mr. K.S. Rana, AOR

Mr. Narender Kumar Verma, AOR

Mr. Rajinder Mathur, AOR

Mr. Sanjib K. Ray, Adv.  
Mr. P. Narasimhan, AOR

Mr. Rakesh Kumar, AOR

Mr. Praveen Swarup, Adv.

Mr. Rohit Kumar Singh, AOR

Mr.R.K. Bhardwaj, Adv.

Mr.Neeraj Bhardwaj, Adv.

Mr.Dheeraj Bhardwaj, Adv.

Mr.Satyendra Kumar, AOR

Ms. Binu Tamta, AOR  
Mr. Dhruv Tamta, Adv.

Mr.Amit Gupta, Adv.  
Mr.Sarwa Mitter, Adv.  
for M/s. Mitter & Mitter Co.

Mr. P.S. Narsimha, ASG  
Ms. Vibha Datta Makhija, Sr. Adv.  
Mr. Sridhar Potraju, Adv.  
Ms. Sadhana Sandhu, Adv.

Ms. Sushma Suri, AOR

Applicant-in-person

Mr. Kush Bhardwaj, Adv.

Mr. Harsaroop Sharma-in-person

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

At the very beginning, it was submitted by Ms. Pinky Anand, learned Additional Solicitor General appearing for the NCT of Delhi, that the State Legislature intends to bring a legislation relating to the management of Kalkaji temple. We do not intend to say anything on the said measure.

Ordinarily, we would have adjourned the matter to another date straightaway but, at this juncture, Dr. Dhavan, learned senior counsel appearing for the respondent no.19 and Mr. Bhardwaj, learned senior counsel, appearing for the respondent no.3 submitted that the hygienic condition outside the *sanctum sanctorum* is atrocious, for no one has ever bothered to keep the area clean. A temple or any religious institution must not only stand for purity and sanctity but must also exhibit cleanliness. As submitted by Dr. Dhavan and Mr. Bhardwaj, learned senior counsel, the area in vicinity of Kalkaji temple and some part of the temple

except the *sanctum sanctorum* is really unclean and some attention has to be given.

Regard being had to the aforesaid submission, we direct the Commissioner of South Delhi Municipal Corporation to depute a competent officer along with the Sanitary Inspectors to visit the area and submit a report to this Court. When we direct for submission of a report, definitely it includes giving suggestions in that regard. Needless to say, the suggestions would not touch anything with regard unauthorised occupation or illegal occupation as that is being debated in the Court.

Ms. Pinky Anand, learned Additional Solicitor General is requested to send a copy of this order to the concerned Commissioner so that he can take appropriate steps as directed hereinabove and submit the report to this Court within ten days hence.

Let the matter be listed on 06.10.2015. On that day, the report of the Commissioner shall be considered and appropriate directions shall be issued only pertaining to maintenance of hygiene and cleanliness.

(Gulshan Kumar Arora)  
Court Master

(H.S. Parasher)  
Court Master