

SECTION XIV  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 32452-453/2013

WITH

(PRAYER FOR INTERIM RELIEF)

AND

INTERLOCUTORY APPLICATION NO. 3

(Application for intervention filed by Mr. Harish Bhardwaj  
applicant in-person in SLP(C) NO. 32452-53/2013)

AND

INTERLOCUTORY APPLICATION NOS. 38-39

(Applications for impleadment filed by Mr. Narender Kumar  
Verma, Advocate in SLP(C) No. 32452-53/2013)

AND

INTERLOCUTORY APPLICATION NOS. 40-41

(Application for impleadment filed by Mr. Rameshwar Prasad  
Goyal, Advocate)

AND

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 32845/2013 AND  
CC NO. 20364/2014

WITHs

INTERLOCUTORY APPLICATION NO. 3

(Application for permission to file additional documents in  
SLP(C) No. 32845/2013)

Kalkaji Mandir Vikreta Sangathan-II ...Petitioner  
VERSUS  
Mr. Piyush Joshi & Ors. ..Respondents

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble  
Court on 31.03.2015 with office report dated 30.03.2015, when  
the Court was pleased to pass the following order:-

"It is submitted by Mr. Narsimha, learned ASG,  
that he has got a series of affidavits and he would  
like to scan through them and, if necessary, file a  
comprehensive affidavit which will facilitate framing  
of a scheme.

At this juncture, we are obliged to state that  
a submission is conversed by Mr. Dhavan, learned  
senior counsel appearing for one Mr. Surendra Nath,  
who assumes himself to be the mahant, that no scheme  
can be framed by this Court in exercise of power  
under Article 142 of the Constitution of India or  
otherwise in view of the specific provisions under

the Charitable and Religious Trusts Act, 1920 and Section 92 of the Code of Civil Procedure, 1908. We will deal with this issue along with other issues so that the matter can finally be disposed of. However, Mr. Dhavan, learned senior counsel appearing for the said Surendra Nath, have to satisfy in respect of six issues, namely :

- i) When does a *mahant* come in?
- (ii) Can there be a *mahant* without a *math*?
- (iii) What is the concept of a *math*?
- (iv) What is the difference between a temple and a *math*?
- (v) Whether anybody can assume or claim himself to be a *mahant* without any kind of '*Guru-Shishya Parampara*'?
- (vi) What is the locus of a *mahant* in such kind of things, if there is a *mahant* in a *math*?

Ms. Pinky Anand, learned Additional Solicitor General, appearing for the NCR of Delhi shall obtain instructions in the matter, whether the State Government shall conceive of a legislation so that the 'Kalkaji Temple' can properly be managed. The aforesaid direction is issued without prejudice to the contentions to be raised by the parties.

Let the matter be listed on 8<sup>th</sup> July, 2015."

It is submitted that Mr. Rameshwar Prasad Goyal, Advocate has on 31.03.2015 filed application for impleadment to implead applicant as party respondent alongwith vakalatnama/appearance of proposed applicant (regd. as I.A. Nos. 40-41) and the same has been included in SLP paper books. He has also given a letter dated 14.05.2015 and the same has been enclosed herewith.

It is further submitted that Mr. P. Narsimhan, Advocate has on 01.04.2015 filed application for impleadment alongwith application for direction to implead applicant as party respondent alongwith vakalatnama/appearance of proposed applicant and the same is defective as the same has not been served on appearing counsel and party-in-person. Despite this Registry's letter dated 13.04.2015 he has not cured the defects. However, same is being circulated as unregistered application.

It is further submitted that Ms. Sonal Jain, Advocate for petitioner No. 1 has on 13.05.2015 filed eight separate

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applications for impleadment alongwith vakalatnama/appearance of applicant but she has not served its copy on appearing counsel and party-in-person. Despite this Registry's letter dated 20.05.2015 he has not cured the defects. However, same is being circulated as unregistered application.

It is further submitted tht Ms. Sumita Hazarika, advocate for respondent No. 19 has on 07.07.2015 filed supplementary affidavit with the leave of the Hon'ble Court but she has not served its copy on counsel appearing for the respondents and party-in-persons. However, the same is being circulated herewith.

Service is already complete in SLP(C) No. 32452-53/2013 and SLP(C) No. 32845/2013, CC No. 20364/2014 are fresh matters.

The matters alongwith applications above mentioned are listed before the Hon'ble Court with this Office Report.

DATED THIS THE 7<sup>th</sup> DAY OF JULY, 2015.

**ASSISTANT REGISTRAR**

Copy to:

1. Mr. Balraj Dewan, Adv. Ch. No. 108
2. Mr. Satyendra Kumar, Adv. Ch. No. 222
3. Mr. Arun K. Sinha, Adv. Ch. No. 136
4. Mr. Harish Bhardwaj, Applicant-in person  
359/1, Chirag Delhi, New Delhi-110017
5. M/s. Mitter and Mitter Co., Adv. Ch. No. 21
6. Mr. Sarvesh Bhardwaj, Applicant-in-person  
755, Chirag Delhi, New Delhi-110017
7. Mr. P. Parmeswaran, Adv. Ch. No. 242
8. Ms. Binu Tamta, Adv. Ch. No. 331
10. Mr. Rohit Kumar Singh, Adv. Ch. No. 315
11. Ms. Sonal Jain, Adv.,  
C-23A, Sector-14, Noida-201301 (U.P)
12. Mr. D. S. mahra, Adv. Ch. No.- Centre Agency
13. Ms. Sushma Suri, Adv. Ch. No. - Centre Agency
14. Ms. Sunita Hazarika, Adv. Ch. No. 235
15. Mr. Ramamurthy, Adv. Ch. No. Library - II
16. Mr. K.S. Rana, Adv. Ch. No. 106
17. Mr. Rajender Mathur, Adv. Ch. No. 129
18. Mr. Bimal Roy Jad, Adv. Ch. No.
19. Mr. Abhijit Sen Gupta, Adv. Ch. No. 225
20. Dr. Subramanium Swamy, Applicant-in-person  
A-77, Nizamudin east, New Delhi - 110003E
21. Mr. Narender Kumar Verma, Adv. Ch. No.
22. Mr. Rameshwar Prasad Goyal, Adv. Ch. No.

**ASSISTANT REGISTRAR**