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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **FAO 36/2021**

NEETA BHARDWAJ & ORS. .... Appellants  
Through: Mr. Neeraj Bhardwaj, Advocate for  
Mr. Vipul Gaur.  
versus

KAMLESH SHARMA ..... Respondent  
Through: Mr. Rohit Krishan Naagpal and Mr.  
Akarshan Bhardwaj, Advocates for R-  
1 to 4 & 6 and applicants.  
(M:9711549953)

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**ORDER**

% **12.08.2021**

1. This hearing has been done through video conferencing.

**CM APPLs. 25868/2021 (for impleadment), 25869/2021 (for appointment of Court Receiver), 25870/2021(for impleadment), 25884/2021 (for appointment of Court Receiver) in FAO 36/2021**

2. These are fresh applications filed in respect of *bari* which is commencing at the *Kalkaji Mandir* on 18<sup>th</sup> August, 2021, and shall go on till 17<sup>th</sup> September, 2021. The *bari* for this month is with the *baridaars* of Thulla Jasram, who are stated to be approximately 60 in number.

3. The allegation of the Applicants is that the *bari* for this month has been sold/auctioned. The further allegation of the Applicants is that the women/ sisters of Mr. Amit Gaur are not being permitted to perform the *puja sewa*, which according to them is a violation of the order dated 4<sup>th</sup> February 2021, passed by this court. Mr. Rohit Nagpal, Id. Counsel submits that even the CCTV cameras inside the *Mandir* premises have been

damaged, and thus, there is no way of ascertaining the amounts of donations and collections thereto, that are taking place.

4. Mr. Neeraj Bhardwaj, Id. Counsel appearing for Mr. Vipul Gaur, on the other hand, submits that similar applications were filed before a Id. Single Judge of this Court, which have been dismissed vide order dated 9th August, 2021 in **CM (M) 1241/2018**, titled **Brij Mohan Bhardwaj and ors. v. Vipul Gaur and ors.**, in view of the fact that the suit pertaining to this particular *bari* had itself been withdrawn by Mr. Vipul Gaur.

5. This Court is considering, in two matters, various issues and disputes amongst the *baridars* of the *Kalkaji* temple. Vide order dated 16<sup>th</sup> July 2021, it was noticed by this Court, that there are more than 40 cases pending across various courts in respect of the said temple. There is a need to streamline the said matters so that multiplicity can be avoided and judicial time can also be conserved. Further the facilities for the devotees visiting the temple need to be provided for properly. The report of the Receivers and local commissioner also show that the cleanliness and maintenance of the temple complex is quite dismal. The *Baris* are being auctioned by the *Baridars* and the grievance is that proper distribution of the donations and collections is not being done.

6. Issue Notice. Mr. Neeraj Bhardwaj, Id. Counsel, accepts notice. Let replies to these applications be filed by Mr. Bhardwaj by 26<sup>th</sup> August 2021. Along with the replies, the accounts of donations received and the collections, in respect of the share of Mr. Vipal Gaur, be also filed before the next date, in order to have an assessment of the amount of collections during the aforesaid period of the *bari*.

7. In the meantime, the CCTV cameras in *Garb Grih* and the *Bhawan*,

which have been damaged, as indicated in the report of the Local Commissioner dated 1<sup>st</sup> August 2021, shall also be immediately got repaired by the *Baridars*, before the commencement of *bari* on 18<sup>th</sup> August 2021, and the same shall be ensured by Mr. Vipul Gaur.

8. The Local Commissioner, Ms. Manmeet Arora, Advocate (M: 9811333871), shall again visit the premises of the *Mandir*, between 19<sup>th</sup> August, 2021 to 23<sup>rd</sup> August, 2021, on any particular day, in order to ascertain the collections being made and the working of the CCTV cameras within the *Mandir* premises. A report shall be filed in respect of the same before the next date.

9. The Local Commissioner shall be paid a fee of Rs.50,000/- by the applicants in this case.

10. List on 1<sup>st</sup> September, 2021, the date already fixed in ***FAO 36/2021*** along with ***CM(M) 323/2021***.

**PRATHIBA M. SINGH, J**

**AUGUST 12, 2021/dk/Ak**