



CWP-5075-2025

(1)

2025:PHHC:026503-DB



In the High Court of Punjab and Haryana at Chandigarh

[174]

CWP-5075-2025

Date of Decision: 24.02.2025

**LORD SHIVA THE DEITY PRACHIN SHIV MANDIR PETITIONER
VERSUS**

UNION OF INDIA AND OTHERSRESPONDENTS

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Dinesh Kumar Malhotra, Advocate and
Mr. Saksham Malhotra, Advocate for petitioner.

Mr. P.S. Kanwar, Addl. Standing counsel with
Mr. Deepak Malhotra, Standing counsel for
U.T. Chandigarh, for respondents No.2 to 5.

SURESHWAR THAKUR, J. (ORAL)

1. Mr. P.S. Kanwar, the learned Addl. Standing counsel along with Mr. Deepak Malhotra, the learned Standing Counsel, representing the U.T. Chandigarh/respondents No.2 to 5, on instructions imparted to them, submit before this Court that in pursuance to a validly made order, on a petition filed under Section 4 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 (hereinafter referred to as the 'Act of 1971'), they have taken over the possession of the subject temple and the main gates of the subject temple have been sealed.

2. The learned counsel representing the petitioner submits, that since a throng of devotees is most likely to pay obeisance at the shrine dedicated, to Lord Shiva, therebys, unless the said main gates are ordered to be unsealed, it would ultimately result in a stampede occurring at the relevant site of the sacrosanct temple.



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3. Without going into the *locus standi* of the present petitioner to institute the instant writ petition, and, also without going into the validity of the Temple Committee, to take care and watch the interests of the deity installed inside the temple, besides, without further going into the fact whether the decisions passed by the authority(ies) concerned, respectively enclosed in Annexure(s) P-1 & in P-2 under the Act of 1971, are suffering or not suffering from any infirmity.

4. However, it is only in the wake of the ensuing Maha Shivratri Festival which is scheduled to be held on 26.02.2025 (Wednesday), and, also on account of the fact that a '*Langar Sewa*', is also scheduled to be held on 02.03.2025 (Sunday) at the temple premises, that therebys, for obviating any stampede, which may occur at the temple site, on the account of the narrow width of the gates leading to the shrine, whereas, the width of the main temple gates, is sufficient to ensure the smooth flow of devotees inside the subject temple.

5. As such, under the supervision of the Military Police, the entire crowd, shall be managed for the period commencing from 25.02.2025 to 02.03.2025, and, at the end of the day i.e. 02.03.2025, the main temple gates shall be closed.

6. The present petition stands disposed of accordingly, alongwith all pending application(s), if any.

(SURESHWAR THAKUR)
JUDGE

(VIKAS SURI)
JUDGE

24.02.2025

Anjal*

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No