

HIGH COURT OF JUDICATURE AT ALLAHABAD

**PUBLIC INTEREST LITIGATION (PIL) No. - 1509 of 2022
(With Writ C No. 52024 of 2004 WPIL Nos. 2593, 36311, 70205 of
2010 WPIL Nos. 48661 and 59052 of 2016 Matters under Article 227
No. 10832 of 2022)**

Anant Sharma and anotherPetitioners

Through :- Ms. Shreya Gupta and Mr. Sanjay Goswami,
Advocates

v/s

State of U.P. and othersRespondents

Through :- Mr. Manish Goyal, Additional Advocate General with
Ms. Akansha Sharma, Standing Counsel for
respondent nos. 1 to 3, Mr. Shashi Shekhar Mishra,
Mr. Amit Mahajan, Mr. Aseem Chauhan, and Mr.
Arvind Kumar Upadhyay, Advocates

**CORAM : HON'BLE RAJESH BINDAL, CHIEF JUSTICE
HON'BLE J.J. MUNIR, JUDGE**

ORDER

1. Issue raised in the present petition filed in public interest is for a direction to respondent no.1 to frame a proper scheme for maintenance and upkeep of temple of Shri Thakur Bankey Bihari Ji Maharaj at Vrindavan, especially the crowd management during festival days and holidays. Number of other prayers have been made, however, we are not going into all this at this stage.
2. The only matter of concern, which we find at this stage for which a beginning need be made is to manage the crowd in the temple and the surrounding areas. More facilities need to be created.
3. Vide order dated November 28, 2022, we had requested Justice Sudhir Narain Agarwal, retired Judge of this Court to visit the temple and submit a report to this Court. The report has been received. Along with the report, certain plans prepared by the State for development of

the area around the temple have been placed. It is evident from the aforesaid plans that the existing temple, as such is not being disturbed. It will remain at the same place where the same exists today.

4. The only issue pointed out by Mr. Goyal, learned Additional Advocate General is that in case any conservation is required of the old structure, they may seek opinion of the experts in the field. Mr. Aseem Chandra, Advocate has pointed out that there is already a report submitted by IIT Delhi, which was placed before the Civil Judge (Junior Division), Mathura.

5. Another issue on which there is no dispute is that the rights of the *Sewayats* for *sewa* of Thakur Shri Bankey Bihari Ji Maharaj shall not be disturbed in the process of development of the area around the temple.

6. Further what transpired at the time of hearing is that there are certain ancient temples which will come within the 5 acres of surrounding land proposed to be developed along with Thakur Shri Bankey Bihari Ji Maharaj Temple. Those shall also be protected.

7. As has been mentioned in an application filed by Mr. Sanjay Goswami, Advocate for being impleaded as party to the litigation, approximately a sum of ₹ 250 Crores are lying in the account of Thakur Shri Bankey Bihari Ji Maharaj Temple.

8. It is not a matter of dispute that entire land which will be purchased in the vicinity of the Thakur Shri Bankey Bihari Ji Maharaj Temple will be registered in the name of the Deity.

9. Before we examine the prayer for utilization of the funds lying in the account of the Deity, let a detailed plan with estimated expenditure

for purchase of land or development of the area around the temple be placed before the Court.

10. There is reservation of the Goswami's with regard to constitution of the Trust for the management of the temple. The issue will require further consideration by the Court unless the same is resolved by the parties.

11. Adjourned to January 17, 2023.

(J.J. Munir)
Judge

(Rajesh Bindal)
Chief Justice

Allahabad
20.12.2022
NSC/Deepak