



2025:DHC:8475



\$~1(SB)

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

*Date of decision: 19<sup>th</sup> September, 2025*

+ **FAO-36/2021 & CM APPLs.59609/2025, 59610/2025**

NEETA BHARDWAJ & ORS.

.....Appellants

Through:

versus

KAMLESH SHARMA

.....Respondent

Through:

**Appearances:**

Mr. R. K. Bhardwaj, Adv. (M:9312710547)

Mr. Arun Birbal and Mr. Sanjay Singh, Advs. for DDA.

Mr. Kamlesh Kumar Mishra, Ms. Shivani Verma, Ms. Mansi and Mr. Piyush Singh, Advs.

Mr. Anuj Chaturvedi, Ms. Richa Dhawan and Ms. Shivani Thakur, Advs.

Mr. Sanjay Vashishtha, Mr. L.A. Vashishtha, Mr. Siddhartha Goswami, Ms. Geetanjali Reddy and Mr. Aditya Sachdeva, Advs. for R-1 to 4 & R-6 to 9.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**Prathiba M Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.

**CM APPL. 59610/2025 (for exemption)**

2. Allowed, subject to all just exceptions. Application is disposed of.

**CM APPL. 59609/2025 (for direction)**

3. This case relates to the *Kalkaji Mandir*.

4. The present application has been moved by the group of *baaridars* with respect to the *baari* that commences from the intervening night of 2<sup>nd</sup> /3<sup>rd</sup>



October, 2025 and shall be ending on 1<sup>st</sup>/2<sup>nd</sup> November, 2025 at the *Mandir*.

5. In the application, some proposals with respect to conducting the *baari* have been set out and submissions have also been heard in this regard. However, no consensus has emerged despite proposals having been discussed.

6. It was due to the disputes amongst the *baaridars* of the nature as stated in this application, which were unresolved for a long time, that this Court had appointed an Administrator *vide* order dated 27th September, 2021. The said Administrator had been performing all the duties necessary to take care of the interest of the devotees, the *baaridars* and also to ensure that basic facilities and amenities were all provided to devotees. The revenue models had also been finalised for *tehbazari* holders and shops in the *Kalkaji Mandir*. Eventually the redevelopment plan of the Mandir was finalized. The demarcation of the land was also done for the purposes of safeguarding the Mandir premises from unauthorized encroachments and constructions. The orders dated 27<sup>th</sup> September 2021 and subsequent orders relating to appointment of the Administrator and the redevelopment of the Mandir were challenged before the Supreme Court and the SLPs were dismissed. Details relating to the same are set out below:

- (i) The order of this Court dated 27<sup>th</sup> September, 2021 was challenged in ***SLP (C) Diary No.9073/2022*** titled ***Nathi Ram Bhardwaj & Ors. v. Neeta Bhardwaj & Ors.***, *Vide* order dated 25th March, 2022 the Supreme Court observed as under:

*“1. Permission to file the Special Leave Petitions granted.*

*2. We are not inclined to entertain the Special Leave Petitions under Article 136 of the Constitution. The*



Special Leave Petitions are accordingly dismissed.

3. We grant liberty to the petitioners to move the Administrator appointed by the High Court with their grievances. It would be open to the Administrator to place a report before the High Court for suitable directions. **However, maintenance of the temple and its surroundings in a dignified manner in the interests of the devotees must be of paramount importance.**

4. Pending application, if any, stands disposed of.”

- (ii) The orders of this Court dated 20<sup>th</sup> May, 2022 and 1<sup>st</sup> June, 2022 were challenged in ***SLP (C) Nos.10688-10689/2022*** titled ***Nathi Ram Bhardwaj & Ors. v. Neeta Bhardwaj & Ors.***: The 17 Petitioners in these SLPs are pujaris who conduct *puja sewa* at the Kalkaji Mandir. In this SLP, the following order was passed by the Supreme Court, on 13th June, 2022:

*“Heard learned counsel appearing for the petitioners and perused the material available on record.*

*Application seeking permission to file the Special Leave Petitions is allowed. Applications seeking exemption from filing the certified copy of the impugned orders as also for seeking exemption from filing the official translation of the Annexure are allowed.*

*Issue notice to the respondents*

*Dasti service, in addition, is permitted.*

***In the meanwhile, there shall be no impediment for carrying out the redevelopment as directed by High Court of Delhi through the orders impugned herein but such re-development shall be without dispossessing the petitioners from the premises wherein they are stated to be residing at present.***

*Tag this Special Leave Petitions along with Special*



*Leave Petitions(Civil) Nos. 32452- 32453of 2013.”*

- (iii) The orders of this Court dated 20<sup>th</sup> May, 2022 and 1<sup>st</sup> June, 2022 were challenged in **SLP (C) 11140-11141/2022** titled **Ram Swarath Singh & Ors. v. Neeta Bhardwaj & Ors.**, This Petition was filed by the occupants of the Saligram Kayastha Dharamshala. In the said SLP, the following order dated 27th June, 2022 was passed by the Supreme Court:

*“Heard learned counsel for the parties.*

**We are not inclined to entertain the Special Leave Petitions under Article 136 of the Constitution. The same are accordingly, dismissed.**

*We however, grant liberty to the petitioners to approach the ld. Administrator appointed by the High Court with their grievances including allotment of alternative spaces for rehabilitation.*

*We have no reason to doubt that the Administrator shall examine such claims in accordance with law and policy.*

*If the petitioners file an undertaking before the Administrator to hand-over peaceful vacant possession, they shall be permitted to retain possession for a period of two weeks. Pending applications, if any, shall stand disposed of.”*

- (iv) The orders of this Court dated 27<sup>th</sup> September, 2021, 20<sup>th</sup> May, 2022 and 1<sup>st</sup> June, 2022 were challenged in **SLP (C) 13726-13728/2022** titled **Vichiter Bhardwaj v. Neeta Bhardwaj and Ors.**, wherein the Supreme Court has, vide order dated 5th August, 2022, observed as under:

*“2. Since the grievance of the petitioner is that he was not a party to the proceedings before the High Court, we grant liberty to the petitioner to move the High Court or, as the case may be, the Administrator with specific grievance, which shall be considered in*



*accordance with law.*

**3. Subject to the grant of aforesaid liberty, the Special Leave Petitions are dismissed.**

*4. Liberty is also granted to the petitioner to move this Court afresh, including on the grounds which are sought to be raised in the present proceedings.”*

7. A perusal of all the above orders would show that the Supreme Court has positively recognized the need for the redevelopment of the Mandir, in the larger interest of the devotees, which was not disputed by the parties also. Even the Id. Administrator’s appointment has been repeatedly recognized and upheld.

8. Since the appointment of the Id. Administrator and the Architect, various steps were taken towards streamlining of the functioning and management of the Shri Kalkaji Mandir, including its redevelopment.

9. Thereafter, a Special Leave Petition was filed challenging the order dated 22nd December 2023 passed by this Court, by which the redevelopment office was directed to be set up and the plans were directed to be finalised for the purposes of obtaining approval. In **SLP (C) No.6344-6346/2024**, which was filed by Mahant Surender Nath on 18th March, 2024, the Supreme Court directed as under:

*“4. Learned counsel for the petitioner and learned counsel for Respondent No.1, appearing on caveat, submit that several SLPs are pending in respect of the present set of disputes and one of them being SLP (C) Nos.19344-19345/2021 is also pending with regard to challenging the order dated 27-9-2021 passed by the High Court of Delhi, appointing the Administrator. They also submit that all the SLPs are inter-connected with each other.*

*5. Let all the SLPs be listed together before an*



*appropriate Bench with the permission of the Hon'ble the Chief Justice of India.*

*6. In the meantime, notice be issued in the present SLPs, returnable on 2-4-2024.*

*7. Dasti service, in addition, is permitted.*

**8. The parties are directed to maintain status-quo till then."**

10. However, on the verge of re-development, the *baaridars* stopped paying the Court appointed Administrator and notice of contempt was issued to them. Currently, *vide* order dated 30th August, 2024 passed by the Supreme Court in '***Petitions for Special Leave to Appeal (C) Nos. 32452-32453/2013***', there is a stay of the contempt proceedings in the following terms:

*"1. Issue notice to the respondent(s) in the special leave petition as also in the application (LA No. 186008/2024) filed by the counsel for the petitioner(s) seeking ad-interim directions.*

*2. It is submitted by the learned counsel for the petitioner(s) that this Court, had directed, vide its order dated 06.06.2024, that the present special leave petition*

*be listed along with its connected petitions being SLP(C) Nos. 6344-46/2024, in which this Court had passed an order to maintain status quo.*

*3. List the matter(s) after four weeks.*

**4. In the meantime, the contempt proceedings filed against the petitioner(s), shall remain stayed until further orders."**

In view of this, the *baaridars* refused to pay for the Administrator, as also for maintenance of the *Mandir* and the Administrator has since stopped administrating the *Kalkaji Mandir*.

11. The *Kalkaji Mandir* is now being managed by the different groups of *Baaridars and Pujaris* once again. The re-development work has not



2025:DHC:8475



commenced in view of the *status quo* order of Supreme Court dated 18<sup>th</sup> March, 2024.

12. The *Baaridars* continue to have inter-se disputes. The Court has attempted, in this application, to reconcile the interest of the *Baaridars*. However, there is no consensus. Accordingly, since there appears to be no possibility of amicable resolution, no orders are being passed in this application. The applicants are free to avail of their remedies in accordance with law.

**FAO-36/2021**

13. List on 10<sup>th</sup> October, 2025 i.e., the date already fixed.

**PRATHIBA M. SINGH  
JUDGE**

**SEPTEMBER 19, 2025/dj/ss**  
(corrected & released on 23<sup>rd</sup> September, 2025)