

**CWP-25750-2024****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH****CWP-25750-2024****Reserved on: 08.05.2026****Pronounced on: 12.05.2026****Miri Piri Institute of Medical Sciences & Research Charitable Trust****...Petitioner****Versus****State of Haryana and another****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present:- Mr. Puneet Bali, Senior Advocate with  
Ms. Hanima Grewal, Advocate,  
Mr. Lovekesh Mehta, Advocate  
Ms. Parneet Kaur, Advocate and  
Mr. Aakash Sharma, Advocate for the petitioner  
  
Mr. Sanjeev Kaushik, Additional Advocate General, Haryana  
and Mr. Akshit Pathania, Assistant Advocate General, Haryana  
  
Mr. Gaurav Chopra, Senior Advocate with  
Mr. Rashpinder Singh Sohi, Advocate,  
Mr. Himanshu Bindal, Advocate and  
Ms. Darika Sikka, Advocate for respondent No.2  
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**JAGMOHAN BANSAL, J.**

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of communication dated 04.09.2024 (Annexure P-4) whereby respondent No.2-Haryana Sikh Gurdwara Management Committee has constituted a Medical Board for the upliftment and functioning of its Institute. It is further seeking direction to respondents not to interfere in its affairs.

2. As per pleadings, Shiromani Gurdwara Parbandhak Committee, Amritsar (for short 'SGPC') is a statutory body constituted under Sikh Gurdwara Act, 1925 (for short '1925 Act'). On 08.12.2005, SGPC



incorporated an irrevocable Charitable Trust named as Miri Piri Institute of Medical Sciences & Research Charitable Trust Amritsar, Shahabad (Kurukshetra), Haryana. The incorporation of Trust was part of the programme and project commemorating the 400<sup>th</sup> anniversary of the compilation of the First Parkash of Shri Guru Granth Sahib. President Jathedar Avtar Singh was founder of the Trust. Shri Mastgarh Sahib Gurdwara granted 20 Acres and Sri Harmandir Sahib, Amritsar granted 5 Acres land on 99 years lease to the petitioner. The land was granted to set up a medical college. The petitioner constructed 500 bedded hospital and medical college. It commenced its working on 23.08.2006. Formation of the Trust was challenged before this Court. A Division Bench of this Court in ***Miri Piri College Bachao Sangharsh Samiti, Shahabad Markanda (Kurukshetra) and others v. Shiromani Gurdwara Prabandhak Committee and others, 2009 SCC OnLine P&H 5325*** has held that there was no illegality in the action of SGPC establishing a Trust with a view to set up a medical college and hospital.

3. The Haryana Sikh Gurdwaras (Management) Act, 2014 (for short '2014 Act') came into force w.e.f. 18.07.2014. The validity of 2014 Act was challenged before Hon'ble Supreme Court in ***Harbhajan Singh v. State of Haryana and others, (2023) 11 SCC 648***. The Apex Court vide judgment dated 20.09.2022 upheld validity of the Act. The Chief Secretary of the Haryana Sikh Gurdwara Management Committee vide impugned letter dated 04.09.2024 informed the petitioner that Medical Board for the upliftment and functioning of the Trust has been set up. The petitioner till date has received grant of ₹111.30 Crores from SGPC.



4. Learned Senior counsel representing the petitioner submits that petitioner was constituted as Trust by SGPC. It has an independent identity. The assets owned and controlled by Trust do not fall within the definition of 'Gurdwara' and 'Gurdwara property'. The petitioner being Trust does not fall within the definition of 'Gurdwara' and its properties do not fall within the definition of 'Gurdwara property'. A Division Bench of this Court in ***Miri Piri College Bachao Sangharsh Samiti (supra)*** has held that SGPC has rightly created Trust for setting up a Medical College-cum-Hospital. There is no illegality in the action of SGPC. By said judgment, the petitioner has been recognized as an independent entity. The respondent has no authority to take over activities/functions of the petitioner. The respondent could take over functions of petitioner had the petitioner been a Gurdwara or its property been 'Gurdwara property'. The institute is run by a Trust which is not controlled by any Gurdwara, thus, petitioner neither falls within ambit of 1925 Act nor 2014 Act. The petitioner is lessee of land owned by SGPC and Shri Mastgarh Sahib Gurdwara. In view of lease rights, the petitioner is in possession and has right to use property in the manner it finds appropriate.

5. *Per contra*, learned Senior counsel for respondent No.2 submits that petitioner-Trust was created for a limited purpose. Land belonging to the Gurdwara was leased out to the petitioner. All the Trustees were and are appointed by SGPC. Head office of the petitioner is in the premises of SGPC, Amritsar. The properties of petitioner fall within the definition of 'Gurdwara property'.

6. Heard the arguments and perused the record.

7. The conceded position emerging from the record is that the SGPC in December' 2005 constituted a Trust known as Miri Piri Institute of



Medical Sciences & Charitable Trust, Shahabad (Kurukshetra) Haryana. President of the SGPC was founder and 9 more persons selected by SGPC were appointed as Trustees. As per Trust Deed dated 08.12.2005, the Board of Trustees shall consist of Founder and Trustees which shall not be less than five and not more than fifteen. The President of SGPC shall always be *ex-officio* Chairman of the Trust. Executive Committee of SGPC has right to make appointment of Trustees. SGPC till the filing of writ petition extended grant of ₹111.30 Crores to the petitioner. Shri Mastgarh Sahib Gurdwara as well as Sri Harmandir Sahib, Amritsar gave on lease land to the Trust where medical college has been set up. The State of Haryana has introduced 2014 Act which extends to whole State and it came into force w.e.f. 18.07.2014. As per 2014 Act, Executive Board and Committee constituted under Sections 16 & 3 respectively has power to manage Gurdwaras and Gurdwara property situated within jurisdiction of State of Haryana.

8. As per petitioner, it is an independent entity. It is not controlled, managed or supervised under 1925 Act. It was set up by SGPC, however, it attained independent identity because it was constituted as a Trust. It is settled law that Trust is an independent entity. Though the petitioner has received land as well as grant from SGPC for setting up medical institute and Executive Committee of the SGPC is empowered to appoint its Trustees yet it has separate and independent entity. Its properties do not fall within expression '*Gurdwara property*' as defined under Section 2(f) of 2014 Act.

The respondent is claiming that properties owned and controlled by petitioner are actually properties of SGPC. The SGPC created petitioner-Trust and retained full control over petitioner's activities. The Trust is governed by 1925 Act. It has no separate entity. Land which is in the



possession of petitioner is still owned by SGPC. After 2014 Act, the respondent has become entitled to take over all the assets and activities of institutions or Trusts which were earlier managed by SGPC. Section 54 of 2014 empowers respondent to take over possession of ‘Gurdwara property’.

Section 54 reads as:

*“54. (1) From the date of commencement of this Act, the provisions of Sikh Gurdwara Act, 1925 shall cease to have any application within the territory of the State of Haryana.*

*(2) Any rule made under the Sikh Gurdwara Act, 1925 or regulations framed by the corresponding legislation on the subject shall continue to be operative within the territorial jurisdiction of the State of Haryana for the purposes of implementation of this Act as far as till the said rules or regulations are suitably amended or re-drafted by the Haryana Government or the Haryana Sikh Gurdwara Management Committee, as the case may be.*

*(3) Notwithstanding the over-riding effect of this Act within the territorial jurisdiction of the State —*

*(a) any appointment, notification, order or rule made or issued under the 1925 Act shall, in so far as it is not inconsistent with the provisions of this Act shall, continue in force and be deemed to have been made or issued under the provisions of this Act unless and until it is superseded by any legislation, notification, order, rule or regulations made or issued under the corresponding provisions of this Act;*

*(b) all budget estimates made, all obligations and liabilities incurred, all contracts entered into and all matters and things sought to be done by, with or for the Punjab Sikh Gurdwara Board shall be deemed to have been made, incurred entered into or sought to be done by, with or for the Committee under the provisions of this Act;*



- (c) *all Gurdwara property, movable and immovable and all interests of whatsoever nature and contained therein, belonging or due to the Punjab Sikh Gurdwara Board, immediately before such establishment, shall, with all rights, powers and privileges of whatsoever description, used, enjoyed or possessed by the said Board, vest in the Committee and the Executive Board to be constituted under section 16 on the commencement of this Act;*
- (d) *all sums of money including rents due to the Board immediately before such establishment shall be deemed to be due to the Committee;*
- (e) *all suits and other legal proceedings instituted or which might have been instituted by or against the Punjab Sikh Gurdwara Board may be continued or instituted by or against the Haryana Sikh Gurdwaras Management Committee;*
- (f) *any will, deed or other instrument which contains any bequest, gifts or trusts in favour of the Board shall from such establishment, be construed as if the Committee were therein named instead of the said Board or Trust;*
- (g) *provisions of Haryana Rent (Control and Eviction) Act, 1973 shall not apply to the Gurdwara immovable property or any building managed by the Gurdwara Committee or Gurdwara Executive Board.”*

9. From the arguments of both sides and pleadings, it comes out that dispute is confined to interpretation of expression ‘*Gurdwara property*’ defined under Section 2(f) of 2014 Act which reads as:

“2(f) “*Gurdwara property*” means,-

- (i) *all movable and immovable property of a Gurdwara or any institution which, immediately before the appointed day vested or was kept in deposit in the name of any Board, Trust,*



*Committee, Gurdwara Management or was being regulated under the provisions of the Sikh Gurdwaras Act, 1925 or rules made thereunder;*

- (ii) all offerings in cash or kind made to various Gurdwaras or institutions managed or controlled by any Committee, Board, Trust or regulated under the provisions of the Sikh Gurdwaras Act, 1925 immediately before the appointed day;*
- (iii) all property in cash or kind, movable or immovable that may be acquired, purchased, exchanged or otherwise kept under the management of Gurdwaras or the Committee or the Trust or Board, from time to time;*
- (iv) all grants, donations, contributions or offerings made, from time to time, by any person(s) or authority or any juristic person to the Gurdwaras or the committee and also includes any actionable claim or a negotiable instrument with respect to any such Gurdwara or any property under its control.”*

10. The expression ‘Gurdwara’ has been defined under Section 2(e) of 2014 Act which reads as:

*“2(e) “Gurdwara” means the Sikh Gurdwara situated in the State as were, immediately before the appointed day, being managed by or affiliated to any Board, Committee or Shiromani Gurdwara Parbandhak Committee and were being governed under the management, control and supervision of the Sikh Gurdwaras Act, 1925 or any other corresponding law, if any, on the subject and also includes historical Sikh Gurdwaras, notified Sikh Gurdwaras or a local Gurdwaras.”*



11. To determine nature of the properties of the petitioner and answer conundrum drawn by parties, it would be inevitable to examine source of the property and authority having management and control over the property.

The petitioner is a Trust and its functions/activities are managed and controlled by Trustees. There is always a founder of the Trust. In the present case, President of SGPC was founder of the Trust. All the first Trustees were nominated by SGPC. All the subsequent appointments of Trustees are made by SGPC. The Trust was created to set up a medical college & hospital. Relevant clauses of the Trust Deed read as:

*“NOW THIS DEED WITNESTHS AS UNDER: -*

*XXXX XXXX XXXX XXXX*

*2. That the head office of the Trust shall be in the premises of Shiromani Gurdwara Parbandhak Committee, Amritsar.*

*XXXX XXXX XXXX XXXX*

*4. Board of Trustees:*

- a) The trust shall be governed by Board of Trustees including ‘Founder’ of the Trust. The Board of Trustees shall consist of Founder and Trustees which shall be not less than five and not more than fifteen.*
- b) The term of board of trustees shall be for four years. Jathedar Avtar Singh the founder shall be the permanent trustee for life. The president of SGPC shall always be ex-officio chairmen of the trust.*
- c) In case of appointments of trustees due to death or in capacity or for any other reason and for filling the vacant posts of trustees, the decision for Executive Committee of SGPC shall be treated as final.*
- d) The Executive Committee of SGPC has appointed the trustees hereinafter for the first term of four years from*



*the date of registration of the trust. After expiry of first terms of four years, the Executive Committee of SGPC shall be competent to appoint trustees for death, incapacity or any other reason the Executive Committee of SGPC shall fill the vacancy as soon as possible.*

- e) *Trustees shall nominate the Vice President and Secretary of the trust who shall perform the duties as allotted by the Board of Trustees.*

XXXX XXXX XXXX XXXX

8. *Accounts:*

XXXX XXXX XXXX XXXX

- (iv) *That if upon the dissolution or winding up of the Trust, there shall remain after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed amount Founder or Trustees, but shall go to Sri Harmandir Sahib, Sri Amritsar.”*

12. A dispute erupted with respect to jurisdiction of SGPC to create a Trust for the purposes of setting up a medical college & hospital. Setting up of Trust and utilization of SGPC's funds was objected on the plea that SGPC can and ought to itself establish the proposed hospital or the proposed medical college. The matter reached to Division Bench of this Court in ***Miri Piri College Bachao Sangharsh Samiti (supra)***. It was contended on behalf of SGPC that powers and functions of SGPC are wide enough to include power to create a Trust for achievement of the objects underlying the Act. Setting up of medical college & institute constitutes one of the legitimate activities of the Committee/Board on which funds may be spent without any legal infirmity. It was necessary to create such a Trust not only because of provisions of Medical Council Act but also judgment of Hon'ble Supreme Court in ***Unikrishnan, JP v. State of A.P., (1993) 1 SCC 645***. As per



Medical Council Act and aforesaid judgment, a professional college can be established and/or administered only by a Society registered under the Societies Registration Act or by a Public Trust.

This Court deeply scrutinized different provisions of 1925 Act. It was noticed that Section 106 of 1925 Act permits Board to utilize surplus sum or income for particular and specified religious, educational or other charitable purposes or any other purposes which promote social welfare. Establishment of hospital and medical college is for charitable and educational purpose. Any expense incurred by the Board on such projects would, therefore, be a legitimate expenditure. So long as the expenditure is incurred for a purpose which is legitimately permissible under the Act, it makes little difference, whether the actual incurring of the expenditure is by the Committee or an agent employed or instrumentality set up by it. The relevant extracts of the judgment read as:

*“14. We may also refer to Section 125 appearing in Chapter X which stipulates the powers and duties of the Board generally. It inter alia provides that the Board shall ensure that every Committee deals with the property and income of the Gurdwara or Gurdwaras managed by it, in accordance with the provisions of this Act, and for the fulfillment of its duty. The control direction and general superintendence over all committees appointed under the provisions of the Act shall vest in the Board. Section 127 deals with power of the Board to hold and administer trust funds for purposes of a religious, charitable, educational or industrial nature, whether such funds are derived from allotments duly made by a committee out of the surplus funds or income of a gurdwara under its management or from donations, or contributions or endowments made direct to the Board for such purposes. Section 130 empowers the Committee and the Board to settle a scheme for the proper*



*administration of the property, endowments, funds and income of a notified Sikh Gurdwara, which scheme once framed has the force of law in terms of Section 130(5) of the Act. Section 131, however, excludes the provisions of Section 130 from applicant to Committee constituted under the provisions of Section 85 of the Act.*

15. *A conspectus of the above provisions makes it manifest that the funds available with the Management Committee constituted under Section 86 of the Act or the Board which is in terms of Section 85 of the Act the management Committee for the Gurdwaras enumerated under the said provision have the power to spend the funds available with them on purposes that are religious, charitable, or educational. That setting up of a medical college and hospital would constitute one of the legitimate activities of the Committees and the Board on which the funds available with either one of them could be spent without any legal infirmity in such expenditure was not disputed even by Mr. Rahi, counsel appearing for the petitioners. Indeed the argument of Mr. Rahi was that the SGPC can and ought to itself establish the proposed hospital or the proposed medical college. What according to the learned counsel made any such enterprise illegal and impermissible was the fact that instead of establishing and running the college, the SGPC had created an independent legal entity in the nature of a trust to perform that function and to undertake that activity. This was according to learned counsel not permissible having regard to the scheme and the provisions contained in the Act. We, however, regret our inability to accept that line of reasoning. As noticed earlier, the establishment of a hospital and a medical college is a charitable and educational purpose. Any expense incurred by the Board on such projects would, therefore, be a legitimate expenditure. What is important is that so long as the expenditure is incurred for a purpose which is legitimately permissible under the Act, it makes little difference, whether the actual incurring of the expenditure is by the Committee or an agent employed or instrumentality set up by it. We could*



*understand if the instrument or the agency created by the Board/Committee was tantamount to an abdication of its function or if the arrangement could be said to be a device intended to siphon out the funds of the Board/Committee by placing the same in the hands of a agency over which the Board/Committee had no control. But that is not the position in the instant case. The Trust deed, a copy whereof, has been placed on record is comprehensive and makes the entire exercise look perfectly transparent and genuine. It recalls that on the initiative and appeal of the President of the Shiromani Akali Dal, the Executive Committee of the Shiromani Gurdwara Parbandhak Committee has decided to set up a trust with legal process as a part of the programme and project commemorating the 400th anniversary of compilation of Ist Parkash of Sri Guru Granth Sahib and that the Committee has decided to create a public charitable trust to meet the objects mentioned in the deed for the benefit of the public at large without any distinction of religion, caste, creed or faith particularly for establishment, maintenance, running, development, improvement and extension of an institution or institutions for research on science and technology including medical and educational institutions. The deed accordingly establishes a trust called Miri Piri Institute of Medical Sciences and Research Charitable Trust, Shahbad, Kurukshetra, with its head office in the premises of Shiromani Gurdwara Prabandhak Committee at Amritsar. The objects of the trust include the following:*

- 1. Arrangement of medical services of all kinds to all persons of any status and provide free and subsidized medical facilities and medicines etc. to the deserving patients regardless of their religion, caste or creed to which they may belong.*
- 2. Establishment of a hospital or a nursing home with all kinds of medical and surgical facilities.*
- 3. To establish, maintain, run, develop, improve etc. of hospitals, clinics, dispensaries, sanatoria, maternity homes etc.*



4. *To impart medical education and to make research in any branch of medicine and surgery*
5. *To establish, maintain, run, develop dental and nursing institutions, schools, colleges, Universities, Industrial Technological and other Art Crafts and Science Institutions etc.*
6. *To undertake all activities which are of a philanthropic humanitarian or charitable nature.*

16. *It is noteworthy that the Board of Trustees of the Miri Piri Trust includes the 'Founder' of the Trust namely Shiromani Gurdwara Parbandhak Committee through its President and a minimum of 04 others as members and the total no more than 15. The following paragraph in the trust deed gives complete control to the SGPC over the trust:*

*"The Executive Committee of SGPC has appointed the trustees hereinafter for the first term of four years from the date of registration of the trust. After expiry of first term of four years, the Executive Committee of SGPC shall be competent to appoint trustees for the next term and so on in future. In case of vacancy of post of trustee due to registration, death, incapacity or any other reason the Executive Committee of SGPC shall fill the vacancy as soon as possible."*

17. *It is, from the above, evident that the trust is closely held by the Founder namely Shiromani Gurdwara Parbandhak Committee. With the all important powers of nominating the trustees and filling up the vacancies vested in the latter, it is in that view difficult to say that there has been any abdication on the part of the SGPC in the discharge of its functions under the Act or that an agency which is alien to the scheme of the Act has been brought in, to carry out some of the functions that legitimately fall within the domain of the SGPC's functions under the Act."*

18. *The respondents have also justified the need for creation of the trust by reference to the legal complications arising from the regulations framed by the Medical Council*



*of India in exercise of its powers under Section 10-A read with Section 33 of the Indian Council Act, 1956. Establishment of Medical College Regulations, 1999, inter alia provide criteria for establishment of a medical college only in terms of a scheme stipulated by the said regulations. The scheme in turn provides for the eligibility criteria in the following words:*

*“Qualifying Criteria*

*The eligible persons shall qualify to apply for permission to establish a medical college if the following conditions are fulfilled:*

- 1. that medical education is one of the objectives of the applicant in case the applicant is an autonomous body, registered society or charitable trust.*
- 2. that a suitable single plot of land measuring not less than 25 acres is owned and possessed by the person or is possessed by Civil Writ Petition No. 4914 of 2008 20 the applicant by way of 99 years for the construction of the college.*
- 3. that Essentiality Certificate in Form 2 regarding No objection of the State Government/Union Territory Administration for the establishment of the proposed medical college at the proposed site and availability of adequate clinical material as per the council regulations, have been obtained by the person from the concerned State Government/Union Territory Administration.*
- 4. that Consent of the affiliation in Form-3 for the proposed medical college has been obtained by the applicant from a University.*
- 5. that the person owns and manages a hospital of not less than 300 beds with necessary infrastructural facilities capable of being developed into a teaching institution in the campus of the proposed medical college.*



6. *that the person has not admitted students to the proposed medical college.*
7. *That the person provides two performance bank guarantees from a Scheduled Commercial Bank valid for a period of five years, in favour of the Medical Council of Civil Writ Petition No. 4914 of 2008 21 India, New Delhi, one for a sum of rupees one hundred lakhs (for 50 admissions), rupees one hundred and fifty lakhs (for 100 admissions) and rupees two hundred lakhs (for 150 annual admissions) for the establishment of the medical college and its infrastructural facilities and the second bank guarantee for a sum of rupees 350 lakhs (for 400 beds), rupees 550 lakhs (for 500 beds) and rupees 750 lakhs (for 750 beds) respectively for the establishment of the teaching hospital and its infrastructural facilities:*

*Provided that the above conditions shall not apply to the person who are State Governments/union Territories if they give an undertaking to provide funds in their plan budget regularly till the requisite facilities are fully provided as per the time bound programme.*

8. *Opening of a medical college in hired or rented building shall not be permitted. The Medical college shall be set up only on the plot of land earmarked for that purpose as indicated.”*

13. From the perusal of above-cited judgment, it is evident that Court upheld creation of the petitioner-Trust because of objects of the Trust and composition of the Trustees. It was categorically held that an act which can be legitimately done directly can also be done indirectly. SGPC has power to spend money for setting up of a medical college, however, Trust is constituted to comply with statutory provisions and judgement of Supreme Court governing setting up and functioning of a medical college and



hospital. The petitioner is relying upon said judgment and as per said judgment, Trust was created as per provisions of 1925 Act and everything was controlled by SGPC. Its creation was upheld in view of objects of the 1925 Act and stand of the SGPC that they have created Trust to comply with statutory provisions otherwise they must have directly set up medical college and hospital. It shows that object of creation of the Trust was not to create a separate legal entity but to comply with statutory provisions and judgment of Supreme Court.

14. A conspectus of above-narrated chain of events reveals that it was SGPC or a Gurdwara managed by SGPC which let out 25 acres land to the Trust. Ownership of the land is still with SGPC, however, possession is with the Trust. Cost of the construction was fully borne by SGPC. All the first Trustees were appointed by SGPC. President of the SGPC is *ex-officio* Chairman of the Trust. Head office of the Trust is in the premises of SPGC, Amristar. The Trust was created to set up a medical college and hospital. Reason to create Trust was to comply with mandatory statutory provisions and judgment of the Supreme Court governing setting up of medical college and hospital. These factors collectively indicate that SGPC has wide and pervasive control over the Trust. In the sense of Companies Act, it can be called a limited company whose 100% share capital and composition of Board of Directors is controlled by one person or a family. The petition has been filed through a Chief Executive Officer who was not authorized by Trustees in their meeting. There is nothing on record disclosing that Trustees had held a meeting and resolved to challenge act of the respondent.



15. Now the stage is ready to examine applicability of expression '*Gurdwara Property*' defined under Section 2(f) of 2014 Act to the present case. There are following attributes of aforesaid section:

- i) There is movable or immovable property,
- ii) It is with a Gurdwara or any institution,
- iii) It immediately before the appointed day was vested or kept in the name of any Board, Trust, Committee, Gurdwara Management, or was being regulated under the provisions of the Sikh Gurdwaras Act, 1925 or rules made thereunder.

In the case in hand, there are movable and immovable properties which are with an Institution, thus, there is compliance of first two ingredients. Ownership of the entire 25 acres land is with the Gurudwara/SGPC and petitioner-Trust is a lessee. The properties before the appointed day were kept in the name of Trust. Thus, there is compliance of third limb of the section. It is apt to notice here that words and expression '*was being regulated under the provisions of the Sikh Gurdwaras Act, 1925*' used in the aforesaid Section are preceded by conjunction '*or*'. It means property may be kept in the name of Board/Trust/Committee or it may be regulated under the provisions of the 1925 Act. In the present case, movable and immovable property was with an Institution and before the appointed day i.e. 18.07.2014 was in the name of a Trust, thus, it for intents and purposes falls within definition of '*Gurdwara Property*'.

16. The petitioner-Trust was created by SGPC and all the Trustees were/are appointed by SGPC. Property held by petitioner was given by

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SGPC as grant or lease. Head office of the Trust is in the office of SGPC, Amritsar. President of the SGPC is *ex-officio* Chairman of the Trust. If at any stage, Trust is closed, as per Clause 8(iv) of the Trust deed all the properties of the Trust would go to Sri Harminder Sahib, Amritsar. SGPC created Trust because as per statutory provisions and judgment of Supreme Court, it could not set up a Medical College and Hospital. All these factors collectively establish that property of the petitioner is actually property of the SGPC.

17. In the wake of above discussion and findings, this Court is of the considered opinion that present petition *sans* merit and deserves to be dismissed and accordingly dismissed.

**(JAGMOHAN BANSAL)**  
**JUDGE**

**12.05.2026***Mohit Kumar*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No

***Date of uploading: .05.2026***