

ITEM NO.2 COURT NO.4 SECTION IV-B
(HEARING THROUGH VIDEO CONFERENCING)

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) Nos.9151-9153/2020

(Arising out of impugned final judgment and order dated 01-06-2020 in RSA No.2006/2018, 01-06-2020 in RSA No.1418/2018, 01-06-2020 in RSA No.2176/2018 passed by the High Court Of Punjab & Haryana At Chandigarh)

MAHARANI DEEPINDER KAUR (SINCE DECEASED)
THROUGH LRs. & ORS. Petitioner(s)

VERSUS

RAJKUMARI AMRIT KAUR & ORS. Respondent(s)

(IA No.99377/2020 - FOR EX-PARTE AD-INTERIM RELIEF) - LISTED

Date : 16-10-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

Counsel for the Parties:

Mr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Yashraj Singh Deora, AOR
Ms. Sonal Mashankar, Adv.
Ms. Shivangi Sud, Adv.
Mr. Rajat Mathur, Adv.
Mr. Jaiveer Shergill, Adv.

Mr. Dhruv Mehta, Sr. Adv.
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Ms. Sonal Mashankar, Adv.
Ms. Shivangi Sud, Adv.

Mr. V. Giri, Sr. Adv.
Mr. Manjit Singh Khaira, Sr. Adv.
Mr. Balbir Singh Sewak, Adv.
Mr. Ripudaman Singh Sindhu, Adv.
Mr. Sadique, Adv.
Mr. Tushar Bakshi, AOR
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Mr. Krishnan Venugopal, Sr. Adv.
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Ms. Yashoda Katiyar, Adv.
Ms. Kritiya Pandey, Adv.
Ms. Akansha Rai, Adv.
Ms. Apeksha Rai, Adv.
Ms. Shweta Yadav, Adv.
Mr. Pramod Kumar, Adv.

UPON hearing the counsel the Court made the following
O R D E R

IA No.99377 of 2020 in SLP (C) Nos.9151-9153/2020

This Interlocutory Application has been filed by the SLP Petitioners praying *inter alia* that during the pendency of these petitions the petitioner Trust be permitted to operate its Bank Accounts for payment of Salaries, Taxes, Utilities and Maintenance of Trust properties and towards expenses of the Charitable Hospital

In paragraph 8, the application has given details about the expenses that are due for the period from 01.06.2020 to 30.09.2020. Said paragraph 8 reads as under:

Sr. No.	Nature of Expenses	Amount in Rs. (Approx.) Up To 30.09.2020
1	Maintenance, repair and upkeep of properties including the Raja Mahal, Faridkot and The Fort, Faridkot	Variable
2	Monthly Salaries for 244 Employees situated in Faridkot, Mashobra, Manimajra, Delhi and Dhana averaging Rs.20,10,060/- per month.	Rs.80,40,240/- Due immediately
3	Amounts due towards Security Agency for Security Guards in respect of the Trust Properties	Rs.6,25,629/-
4	Electricity and Water Bills at an average rate of Rs.2,25,000/- per month.	Rs.9,03,890/- Due immediately
5	Advance tax payable for two quarters of FY 2020-21	Rs.1,00,00,000/- (Approx.) Due immediately
6	GST payments due on rent at the rate of Rs.20,14,935/- per month.	Rs.80,59,740/- Due immediately
7	Payment towards ESI and EPF at the rate of Rs.1,12,600/- per month.	Rs.4,64,800/- Due immediately

Leaving aside expenses stated at Serial No.1, those detailed under Serial Nos.2 to 7 relate to the expenses towards Salaries, Amounts due towards Security Agency, Electricity and Water Bills, Advance Tax and GST payments and the statutory payments towards ESI and EPF. The amounts so described against Serial Nos.2 to 7 aggregate to Rs.2,80,94,299/- for a period of four months i.e. from 01.06.2020 to 30.09.2020.

The application has also given details about the Banks and the accounts through which these expenses and expenditures are to be met.

We have also been apprised that the rent payable for certain properties including Faridkot House in New Delhi also get credited to some of those accounts. The details of the accounts given in para 12 are as under:

- i. Central Bank of India, Mohalla Talab, Faridkot - SB A/c No.1418304588;
- ii. Bank of India, Circular Road, Near Mori Gate, Faridkot - SB A/c No.654910100004476;
- iii. Punjab National Bank, Main Br., Jubilee Cinema Complex, Faridkot - SB A/c No.0168000100245731;
- iv. Oriental Bank of Commerce, Near Sawarn Palace, Circular Road, Faridkot - SB A/c No. (46808) 0206201-0049290;
- v. Punjab & Sind Bank, Mall Road, Faridkot - A/c No.00891000918778;
- vi. State Bank of India, Main Branch, Near Sawarn Palace, Circular Road, Faridkot - A/c No.10696291741;
- vii. State Bank of India, K.N. Jain School Branch, Faridkot - A/c No.55006468293;
- viii. Canara Bank, Jubilee Cinema Complex, Faridkot - A/c No.2441101002628;
- ix. HDFC Bank, Near Bus Stand, Faridkot - A/c No. 14141000010871;
- x. Punjab National Bank, Old Jail Road Branch, Faridkot - A/c No.3442000101090747;
- xi. IDBI Bank, Opp. Sainik Rest House, Talwandi Road, Faridkot - SB A/c No.0395104000128223;
- xii. Punjab Gramin Bank, Mall Road, Faridkot - A/c No.88930100004927

Dr. Abhishek Manu Singhvi and Mr. Dhruv Mehta, learned Senior Advocates appearing in support of the application submit that though there was no express order of injunction, the concerned Banks have frozen the accounts, as a result of which the activities undertaken by the Trust are getting seriously prejudiced. It is, therefore, prayed that these accounts be allowed to be operated for the purposes stated in paragraph 8, during the pendency of these petitions.

Mr. V. Giri and Mr. Krishnan Venugopal, learned Senior Advocates opposed the prayer and submit that in the name of expenditure towards fulfilling the objectives of the Trust, the amounts of the Trust are being misused and, as such, the relief prayed for ought not to be granted.

Since the activities undertaken by the Trust are in the nature of running of a Hospital and other philanthropic causes, at this stage, we permit the applicant trust to operate the accounts mentioned in paragraph 12 of the application strictly for the purposes enumerated at Serial Nos.2 to 7 in paragraph 8 of the application.

The details of all the expenses so incurred as well as the credits received shall be placed on record periodically; the First Report shall be filed on or before 30.10.2020; and the Second Report shall thereafter be submitted on or before 30.11.2020.

The Registry is directed to send a copy of this order to the Banks mentioned in paragraph 12.

The concerned Bank Managers are also directed to send the Statement of Accounts regarding respective Accounts for the period 01.06.2020 to 30.10.2020. The details shall be furnished to this Court on or before 10.11.2020. The details in respect of the month of November 2020 shall be furnished on or before 05.12.2020.

List the main matters for disposal on 04.11.2020 as directed earlier.

(MUKESH NASA)
COURT MASTER

(PRADEEP KUMAR)
BRANCH OFFICER