



Shriram Janmabhumi Andolan has been going on since the day when the Mosque was constructed after demolishing the Mandir. Earlier, it was bloody; but as time passed, it has become judicial. At present, two types of cases are going in the Court in respect of Shriram Janmabhumi, such as the civil i.e. pertaining to the dispute of property and Criminal i.e. dispute pertaining to the crime.

Five cases are pending before the court pertaining to the civil matters of Shriram Janmabhumi. In the first case, which was filed by Shri. Gopal Singh Visharad in 1950 (Civil case No. 2/1950) in the Court of Civil Judge, Faizabad. It was requested therein that the right of the plaintiff to have the Darshan and Pujan of the Lord from a close vicinity be kept secure, without any let or hindrance by the defendants; and such an injunction be passed that the defendants should never be able to remove the Lord from his present location.

In the second case (No. 25/1950), which was filed by Paramhans Ramchandra Maharaj, a similar request as above has been made.

In the third case (No. 25/1959) filed by Nirmohi Akhada in 1959, it is requested that the task of arranging Puja, etc. of Shriram Janmabhumi be entrusted to the Nirmohi Akhada and the receiver be removed.

In the fourth case (No. 12/161) filed by the Uttar Pradesh Sunni Central Waqf Board on 18 December 1961 (i.e. after 11 years 11 months and 26 days of the manifestation of Lord Shriram Lalla), a demand was made to declare the disputed structure as a Masjid by removing all the Puja materials and the adjacent lands as the Kabrastan.

In the 5th and final case filed in July 1989 on behalf of Lord Shriram Lalla Virajman (ensconced) by Shri. Devakinandan Agrawal (former Judge of Allahabad High Court), the court was requested that the entire premises of Shriram Janmabhumi Ayodhya belonged to the Plaintiff (i.e. idol of the divine); hence a permanent injunction be issued against all the defendants opposing the construction of a new Mandir on Shriram Janmabhumi or creating any type of objections or hindrances in its way. (According to Hindu convictions and belief, the Pran Pratishthit [enlivened] idol is a living entity, which could fight its case. But the Pran Pratishthit idol is considered as a non-adult and hence some individuals could be made as to its representative. The Court, therefore, authorized Shri. Devakinandan Agrawal as the next friend for fighting the case of Shriram Lalla in the court.)

In the first case of Shri. Visharad, the lower (trial) Court issued an interim order of keeping

the idols of Shriram Lalla at their existing place and the right of the Hindus intact to worship, Arati and Bhog without any let or hindrance. It also appointed a receiver. The Allahabad High Court had confirmed this interim order in April 1955.

The second case has been withdrawn by Shri. Ramchandradas Paramhansa in 1990 and there is no decision as yet in the third case.

It is worth mentioning in respect of the fourth case here that the Sunni Waqf Board withdrew its request to declare the surrounding area as Kabrastan in 1996. The issue, therefore, remained confined to the three-domed structure only. This tiny site itself is under the consideration of the court.

In respect of the fifth case, no decision has come as yet. In other words, there are only four (first, third, fourth and fifth) cases under consideration of the Court at present.

## Acquisition by Govt. of Bharat

After the structure was floored, the Govt. of Bharat acquired the disputed premises and also 67 acres of the plot of lands surrounding it on 7 January 1993. The Central Reserved Police has been entrusted with the task of security of the entire premises. Many people have challenged the acquisition in the Supreme Court. While using the powers conferred under Article 143-A of the Constitution, Article 143.

## Power of President to consult Supreme Court ”

(1) If at any time it appears to the President that a question of law or fact has arisen, or is likely to arise, which is of such a nature and of such public importance that it is expedient to obtain the opinion of the Supreme Court upon it, he may refer the question to that Court for consideration and the Court may, after such hearing as it thinks fit, report to the President its opinion thereon.

(2) The President may, notwithstanding anything in the proviso to article 131, refer a dispute of the kind mentioned in the said proviso to the Supreme Court for opinion and the Supreme Court shall, after such hearing as it thinks fit, report to the President its opinion thereon.

H. E. President has asked a query to the Supreme Court, whether there was any Hindu temple on the disputed site prior to 1528 a.d.? and called for its reply. Joint hearing was held on all the appeals against the acquisition together with the question raised by H. E. President. The 5-

Judge Constitution Bench of the Supreme Court heard the arguments and counter-arguments of all the parties for about 20 months and gave a majority decision on 24 October 1994 as follows :

1. We are respectfully returning the query of H. E. President un replied.
2. Acquisition done by the Govt. of Bharat is valid in the law.
3. All cases pertaining to the lands of Shriram Janmabhumi / Babari Masjid shall duly be disposed of by a bench comprising of 3-Judges of Allahabad High Court.

After the above decision by the Supreme Court, all the cases came before the Lucknow bench of the Allahabad High Court for final disposal.

Oral depositions started by the witnesses on behalf of the Plaintiff Sunni Waqf Board in the Lucknow Bench of High Court in June 1996. The plaintiff declared his presentation as finished in May 2002 after getting the depositions of a total of about 28 witnesses on its behalf recorded for about six years. Thereafter depositions by the witnesses of case No. 5 Shriram Lalla Virajman began. The arguments were declared as finished by the Plaintiff after recording its 16 witnesses up to July 2003. Three witnesses also got their depositions recorded in the case No. 1 filed by Shri. Gopal Singh Visharad. The hearing began in the case No. 3 by Nirmohi Akhada and 3 witnesses gave their depositions and was finished also by August 2003. Thus the recording of oral depositions by the witnesses is over.