

10939

**IN THE HON'BLE HIGH COURT OF JUDICATURE AT
ALLAHABAD LUCKNOW BENCH LUCKNOW**

Other Original Suit No. 4/1989

Sunni Central Board of Waqf U.P.

and others

----- Plaintiffs

Versus.

Gopal Singh Visharad (deceased)

and Others

-----Defendants

Clubbed together

Other Original Suit No. – 1/1989

Other Original Suit No. – 3/1989

Other Original Suit No. – 5/1989

**EXAMINATION IN CHIEF BY WAY OF AFFIDAVIT OF
SHRI MAHANT DHARMDAS UNDER ORDER 18 RULE 4
OF CODE OF CIVIL PROCEDURE**

I, Mahant Dharamdas, aged about 59 years, disciple of
Baba Abhiram Dass, resident of Hanumangarhi, Ayodhya,
Distt.-Faizabad, do solemnly affirm and state on oath as
under:-

1. That, I, deponent, am a Mahant of All India Sri Panch
Nirvani Anni Akhara and a Mahant of my seat at
Hanumangarhi, Ayodhya.
2. That, I was born in village – Dumri, P.O.-Dumri,
Distt.- Baksar, Bihar. My father's name is Shri
Prabhu Kunwar.

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3. That, I came to Ayodhya in the year 1962 with the purpose of adoration of God and became a disciple of Baba Abhiram Dass of Hanumangarhi
4. That, there was a main gate called Hanumath Dwar in the eastern side of RamJanam Bhoomi Premises. There were two pillars of Kale-Kasouti engraved with idols of Jai-Vijay, Flowers – leaves and pitcher etc. at the each side of Hanumath Dwar. There was stone, fixed in the land, in the east of Hanumath Dwar No.- '1' and "Janam Bhoomi daily pilgrimage" was written upon it.
5. That, there was a Ram-Chabutra (Platform), at the southern side of Hanumanth Dwar where adoration of God Ram Lalla was held continuously and a Neem and a Peepal Tree at South-east corner, under which, on the platform, idols of Shiv-ling, Kartikeyaji, Ganeshji, Parvatiji and Nandiji were kept.
6. That, on entering from Hanumath Dwar there was a Store-room and sant residence in the northern side where sadhus-saints used to live in and utensils foodgrains was kept, and prasad was prepared. There was a wall with grill in front of building with three domes, wherein two doors were fixed, one in front of Hanumath Dwar and other was at a distance in the north.
7. That, there was a dwar (door) called Singh Dwar in the northern side of the Ram Janam Bhoomi premises. There was an idol of Garurji in the middle, above the Singh Dwar. There were idols of Lions on each side, one in the left side and other in the right

side of Garurji. On entering from Singh dwar, there was Sita Kitchen/Kaushaliya Kitchen, where Chula, Choka, Belan and foot print made of marble were fixed.

8. That, a building with three dome was in the western side of the wall with grill. Where, under the mid dome, Birth/incarnation of God Shri Ram Lalla was taken place. One can get salvation, by taking its view. Birthplace of God Shri Ram Lalla, is reverent and divine itself. He is worshiped by all Sanatan Dharmi Hindu Samudaya, (all Sanatan religious Hindu Community).
9. That, there were Samadhies of great sages of Sanat, Sanandan, Sanatan, Sanatkumar, Garg Gautam and Sandilyas, and one Narad Chabutra in the north of Ram Janam Bhoomi premises. There were Samadhies of Markandaya and Angira Sage and Lomesh Chaura was in the south of RamJanambhoomi premises. Sita-koop is in the southeast side of Ram Janam Bhoomi premises. The water of this Sita-koop is regarded as a holy one and all Hindu Sanatan Dharmi people use this water in all religious performances. In the east of Hanumath Dwar, there was a Shankar Chabutra and in its east, there was a Baba Abhiram Dass Katha Mandap.
10. That there was a Parikkarma Marg, around the Ram Janam Bhoomi premises through which pilgrims used to take parikkarma of Shri Ram Janam Bhoomi premises. From Hanumath Dwar, on the way of parikarma, towards south, there was an idol of God Varah at the eastern wall.

11. That, there were 12 pillars made of Kale Kasouti stones engraved with idols of Hindu's God-Goddess, pitchers, tender leaf, flowers, leaves etc., fixed in the building with three domes. A beam made of sandalwood was on the top of the door (dwar) opposite to middle dome i.e. Grabh Grih.
12. That, there were only two gates (Dwars) for going to Shri Ram Janam Bhoomi premises, one was Singh Dwar in the north and other was Hanumath Dwar in the east and entry into building with three dome was possible only through these gates. There was no other entrance gate because of which followers of any other sact or religion other than the Saint, Vairagi and Hindu pilgrims, devotees, could not get the entry.
13. That, Babar was never the king of this country Neither he was ever recognized as Badshah (King) in this country nor Babar ruled over this country as a Badshah. Babar was only a robbber, who after looting, went-back to his country, Afganistan. Meerbaki, a Siya Muslim and Army Chief of Babar, had on the advise of a Faqueer (Muslim mendicant) tried to convert Ram Janam Bhoomi Mandir situated at the disputed site, which was renovated during the regime of King Vikramaditya, into a mosque by demolishing it and used the debris of Temple for the construction of this building.
14. That, Meerbaki had constructed the building with three dome by demolishing Shri Ram Janam Bhoomi Mandir, for causing insult to an idol worshippers and not to use it as a Mosque and

neither that place was ever used as a Mosque nor namaz was never read there.

15. That, neither any tower there was on the building with three domes situated at Shri Ram Janam Bhoomi nor there was any place for storage of water to perform waju.
16. That, religious celebration were being organised from time to time, on various holy dates, at Shri Ram Janam Bhoomi site. Programmes were organised under the supervision of my Guru Late Shri Baba Abhiram Dassji. Electricity connection was in the name of Shri Ram Janam Bhoomi site and payment of electricity bill was being made by my Guru, Late Baba Abhiram Dassji.
17. That, Deponent, after coming to Ayodhya, had been visiting Janambhoomi regularly at the religious occasions for Darshan, worship etc. and had been doing darshan and parikarma of disputed site as a birth place of Rama.
18. That, Hindu Community, from eternal time has been worshipping this place as a birth place of Shri Ram Chanderji, with traditional faith and belief .
19. That, prior to demolition of disputed structure, main-gate for entrance was on the eastern side, known as Hanumath dwar. There were two pillars of Kale Kasouti at both the side of main-gate. 12 similar pillars of Kale Kasouti, engraved with Ghat, tender leaves, Amrit pitcher; Swastik, Leaf and flowers peacock and deities were also fixed at the inner portion.

20. That, Hindu population believe that God Shri Rama was born at the place under the mid-dome in the main premises and on the basis of this faith innumerable Hindu devotees of Rama from native and alien Land, have been worshiping the disputed site recognising it as a birth place of Shri Rama.
21. That, neither any Muslim had ever visited Ram Janam Bhoomi premises nor Namaz was ever read there by any Muslim. Communal disturbances in between Hindus and Muslims occurred in Ayodhya during 1934 due to cow-slaughter in which Muslims were beaten by Hindus. Terrified by this incident, Muslims did not go towards Shri Ram Janam Bhoomi premises since 1934. No member of Muslim community has ever visited to the inner portion of the disputed site, since 1934.
22. That, there are a number of consecrated temples and religious places of Hindus around Ram Janam Bhoomi premises. Prominent among them are Sita kitchen, Kanak Bhawan, Vishwamitra-Ashram, Mat-Gazendra, Koteswar-Mahadev, Ramkhazana Mandir, Sugriv kila, Rang Mahal, Vashishta Kund, Kuber tile, Brahm-kund Gurudwara etc.
23. That, to my knowledge, relation in between Hindus and Muslims, in Ayodhya had been cordial and most local Muslims (except communal, fanatic and selfish elements) recognised this place as a birthplace of Shri Rama, deity of Hindus and do not accept it as a Mosque.

24. That, during the criminal proceedings under Section 145, in the year 1949, a number of people from Muslim community have recognised this disputed site as a birth place of God Shri Rama and confirmed the regular possession of Hindus over the place and accepted that namaz was never read in the disputed site by the Muslims and in accordance with the Islam, namaz cannot read at such a place.
25. That, through the conversation with the followers of Islam, their Ulemas etc., Deponent came to know that Muslims do not recognise this disputed site as mosque. They also agree that there must be proper provision for tower and Wazu in a Mosque. No towers and no provision for Wazu were there in the Mosque. Disputed site is a birth place of Shri Rama, which is proved on the basis of theological books, hearsay, customs etc. and is being worshipped as a birth place of God Shri Rama since long.

Sd/-

Deponent

Mahant Dhram Dass

Lucknow

Dated the 10th March 2005

Verification

I, Shri Mahant Dharmdass, deponent do hereby verify that contents of para 1 to 25 of the affidavit, are true to the best of my knowledge and nothing has been concealed

10946

and misrepresented. May God help me. Verified today on 10.3.2005 at High Court premises.

Place – Premises of Hon'ble High Court premises, of Lucknow.

Dated 10th March 2005

Sd/-
Deponent
(Mahant Dharmdass)

Deponent has signed the affidavit before me and I know the deponent.

Sd/-
(Rakesh Pandey)
Advocate

Lucknow

Dated 10th March 2005

Before: Hon'ble Special Full-bench, High Court of
Judicature at Allahabad, Lucknow Bench,
Lucknow:

Sunni Central Board of
Waqf U.P. and other ---Plaintiffs
Versus
Gopal Singh Visharad
and Others ---Defendants

Other Original Suit No. 4/1989

Regular Suit No/ - 12/1961

Dt. 10.3.2005

DW 13/1-1, Mahant Dharmdass

Affidavit, page No. 1 to 8, of Examination in chief Name – Mahant Dharmdass, aged 59 years, disciple of Baba Abhiramdas, resident of Hanumangarhi, Ayodhya, Distt.- Faizabad was submitted and taken on record.

(Cross-examination on an oath by Shri Ranjeet Lal Verma, advocate, on behalf of plaintiff of Other Original Suit No. 3/89, Nirmohi Akhara, from witness, is commenced.)

XXX XXX XXX XXX

Hanumangarhi Ayodhya Mandir is a temple under Shri Panch Ramanandiya Nirvani Akhara. Kapilmuni Mandir Gangasagar also falls under the Ramanandiya Nirvani Akhara. Vigrah Murti of Hanumanji is installed in Hanumangarhi situated at Ayodhya. I supposed that there are another four temples in the premises of Hanumangarhi Mandir.

Narsingh Bhagwan, Ma: Durga, Bharat, Shatrughan and Ram Darbar Mandir are among them. Ramanandiya Nirvani Akhara is Public Math. Akhara is managed by Panchs. Its election is conducted through democratic system. Customs/traditions of Ramanandiya Nirvani Akhara in the form of an agreement has been registered by Panchs. Such customs/traditions (perhaps referred for Rules/Regulations) registered in the year 1962 are circulated in the form of book. There are patties for the management of Akhara. Each patti consists three Jamat (Groups or Class), Dunda, Jhundi and Khalso. All groups have their seats in accordance with their entitlement, in each Jamat. It is not correct that the seats are in accordance with sensivity of old Sadhus. It is in accordance with the traditions. Each patti has its own Mahant, called sitting Mahant of Akhara. Jamat, patti. Akhara has its separate Panchayat and its proceeding took place separately. Executive Committee is another institution of Ramanandiya Nirvani Akhara. This Executive Committee is not an ultimate body for the management of Hanumangarhi situated at Ayodhaya. This Executive Committee consist of 30 Panchs, which includes two panch from each Jamat, Mahant of each Patti, Sitting Mahant and a Sarpanch. Mahant are elected through election and not by inheritance. Mahants follows the decision of Panchs.

There may be a number of temples in Ramanandiya Nirvani Akhara. There are also a number of Adhistan deities Property of Hanumanji is under Nirvani Akhara, i.e. Nirvani Akhara is a big Religious Trust and not an individual. Such property vests in a Akhara, or in Mahant or in an individual. Entire property situated in the wholepremises of Hanumangarhi is vested in Nirvani

Akhara. I am the owner of property, which I have earned in Amaniganj.

In addition to Nirvani Akhara, there are Digambar Akhara, Nirmohi Akhara at Ramghat Mohalla, Niravlambi Akharas and Santoshi Akhara at Ayodhya. I do not remember the name of any other Akhara situated at Ayodhya. Kalu Akhara is also at Ayodhya. The Akharas, which I have mentioned above also, have three Anne. Their names are - All India Shri Panch Nirvani Annee Akhara and All India Shri Panch Digambar Annee Akhara and All India Shri Panch Nirmohi Annee Akhara.

Question: Do you know the number of villages (Division), the Sadhus of Ramanandiya Vairagee Sampradaya (Sect) have, in all the three Annees?

Answer: There are 18 Akharas, in three Annees. All these Akharas are under the three Annees.

There is a branch, Jhariya Nirmohi, under Nirmohi Akhara. I do not know whether it has a temple at Nirala Nagar, Lucknow or not. Digambar Annee is regarded as a Khjanchi. At the time of Shahi Snan(Royal bath) during Kumbh Mela, Nirvani Akhara leads and Digambar Akhara follow it and Nirmohi Akhara follow digambar Askhara. According to Osara, once Nirmohi Akhara also had led. So far reorganization is concerned, all the three – Nirmohi, Digamber and Nirvani have equal footings. There are two Akharas in Digambar, 9 in Nirmohi and 7 in Nirvani Akharas were established by Balanandji, disciple of Ramanandji about 400-500 year before. These Akharas were established to create a culture for the propagation of Hindu Religion among the youth, for the

propagation of Bhakti(devotion) and for the development of the nation. It is fact that these Akharas were established with a view to protect the temples belonging to Hindu religion, from the external elements, such as Hune, Yono etc. The main work of Akharas was to impart education in arms and Shastras(religious science). Persons, who are young in age, were recruited in it that on the basis of their education they could go up to the stage of Naga from chhora.

I know only this much that sadhak is a pupil but I do not know when this tradition of Sadhak Chela (Pupil) came in to existence. A person, to whom a Sadhak Chela (Pupil) follows as a pupil will be called Sidh Guru. It is not necessary that prior to becoming a Sadhak pupil, he would be a pupil of some other Guru. It is true that on becoming a Sadhak pupil, his relation with the earlier Guru comes to an end.

I know, Abhiramdass Aasan, Ram Kishun Dass of Barabanki. He was a pupil of Saint Abhiramdass. I joined the Akhara at about the age of 15 years. Shri Ram Kishun Dass became the pupil, before I joined. Goberdhan Dass, Ramanand Dass and Saleyender Kumar Dass were also the pupils of Saint Abhiramdass. They were pupils before I joined the Akhara. All these four person gets the "Seedha" (alms), which was distributed, from Hanumangarhi Seat. At the time, when I joined the Akhara, the seat, which distributes seedha, was known by the name of Baba Abhiramdass. Baba Abhiramdass was an old aged person at the time, when I was inducted in to Akhara. He was about 60, 70 or 75 years old, Ram Kinshudassji was about 35 or 40 years old at that time. It is not correct to say that I became the pupil of Ram Kishun Dass. It is not correct that I have signed as a pupil

of ram Kishun Dass on a document in office of Sub-Registrar of Faizabad. I do not know that Baba Kinshudass, resident of Mohalla – Vibhisan Kundu, was pursuing a lawsuit in connection with a house situated near Ramanand Mandir. It is also not correct that I had been pursuing any litigation on behalf of Ram Kinshudass.

When I joined the Akhara it would have been around 1960-62. Since then I have been residing in Hanumangarhi, Ayodhya. I might have visited outside from there in connection with work of Akhara, but my residence is in Ayodhya. During this period I became convergent with the tradition of Ramanandiya Sect. Each Akhara has its own tradition. I know the tradition of each Akhara. In Digambar Akhara each Sadhu get his alms separately and they cooked and eat separately, whereas in Nirvani Akhara "alms" or food is distributed at one place. This also happens in Ayodhya and elsewhere. In Hanumangarhi food is cooked and distributed by Bhandari. There are 500 Sadhus in Hanumangarhi. Food for these 500 Sadhus is cooked at one place and it is distributed after it is offered to Hanumanji. This is a routine. Raw offering food is prepared on Wednesday. About 2000 or 4000 person sits in a "Pangat", whenever "Pangat" is organized, Bhandari arranges it.

Some Sadhus took the food away from there and some eats there. In addition to raw and cooked offering, flour, rice, ghee and salt etc. are distributed to Sadhus of each seat. Mahant of Digambar Akhara is all in all, whereas in the case of Nirvani Akhara, Panch is all in all. Besides this there is no difference in between Nirmohi akhara and Nirvani Akhara. Further said that difference is there rice salt and flour are distributed in the Nirvani Akhara but in Nirmohi Akhara, it is not same. In Nirmohi

Akhari, there are Panch and Sarpanch .Beside these there is no difference between nirmohi Akhara and Nirvani Akhara but their tradition differs. In Nirmohi Akhara there is no Panchyati arrangement, Mahant is all in all there. If Guru dies, pupil takes over the charge of Mahant. This I am saying because I have been seeing this practice since long. I have not read about it anywhere. Mahant of Khaki Akhara is elected through election and also by virtue of inheritance.

Maintenance and sale-purchase of property of Khaki Akhara is done by Mahants and Panchayat has no role to play in it. Whereas, maintenance and sale-purchase of property of our Akhara i.e., Nirvani Akhara is done by Panchayat. In all Akharas in Ayodhya, when a person becomes a Mahant he has to made an agreement in favour of Akhara. The main feature of the agreement is that Mahant will not destroy the property of Akhara. I know about such an agreement of my Akhara, but whether there is any practice of writing such an agreement in Nirmohi Akhara or other Akhara or not, I do not know. I have participated in the Bhandara or at the time of appointment of a Mahant, wherever such occasion happened in Khaki Akhara or Digambar Akhara. It is fact that Panchnama or agreement is written at the time of such Bhandara, which called Mahzarnama. I do not remember when I have participated last time in such Bhandara of Khaki Akhara. I have been gone in the Bhandara of Mahanti of Sultana Baba of Khaki Akhara. I also went to Bhandara of Basudev Dass ki Mahanti of the Khaki Akhara. I have no knowledge whether Mahanti of Basudev Dass was decided in accordance with a judgement of court by the panchayat or not.

I came to know about Nirmohi Akhara, a year or two-year after I was recruited in Nirvani Akhara. I got this knowledge about Nirmohi Akhara, during the period when I visited there. Nirmohi Akhara is situated at Ramghat Mohalla and my compound and Thakur ji ka Mandir is also in that Mohalla. There is house of Satyenderdassji, who is my fellow disciple, opposite to Nirmohi Akhara. My compound and temple is adjacent to the north of Tapasee ji ki Chhawani at Ramghat Mohalla. Nirmohi Akhara is at a distance of 100 or 150 steps from Tapasee ji ki Chhawani. Pramhans Ramchander dass does not live in Tapasee ji ki Chhawani. He lived there where Karya Shala (Working Place) is at this time. My compound and temple called Gopal Mandir Ramghat, is in the northern side of Tapasee ji ki Chhawani. Gopal Mandir is a temple of Thakur Ramji and Mahant Santramdass ji is his all in all. Santramdass ji is a Mahant of Patti Ujjainiya. This Gopal Mandir belongs to Ujjainiya Patti Hanumangarhi and since I am a Sadhu of Ujjainiya Patti, so I called it mine.

There is a Sankatmochan Hanuman Mandir in Mohalla Baniganj at Ayodhya, which was constructed by me in the year 1980 and an idol of Hanumanji was installed in it during the year 1985. This temple belongs to Hanumanji, as such we can not claim its ownership. In our society, consecration of an idol of God, in a temple, can be done only after when a person donates his property to the God and after consecration of an idol, God becomes the owner of said property.

Question: If a property belongs to Religious Trust and that trust consecrate the idol of Thakurji after constructing the temple, in that case should it not be treated consecration of Thakurji?

Answer: Such property will not be presumed as a property of Thakurji unless resolution is not made in favour of Thakurji.

In accordance with the religious books, God of Thakurji cannot be regarded as consecrated unless an organization or individual, before the consecration of God, does not resolve in the name of God.

In accordance with the religious books, resolution of the property is must before consecration an idol of of God in any Temple or at any place.

Resolution is made in respect of the Land/property, where consecration of an idol of God is done. Resolution can be made by an organization or individual, who has constructed the temple. It is called a temple during the construction and it is also called a temple before consecration. A person or trust, which perform consecration, will be called as its Manager. And such Manager is called Shivayat, but calling him Sarvrahkar will not be a pure language. Such manager is also called Mahant. Shivayati rights of the four temples of Hanumangarhi are with the Nirvani Akhara of Ramanandiya Sect. This temple of Hanumangarhi is a universal one. Despite the universal status of temples, these are managed by Akharas. Bhog-Raag, worship and Darshan to devotees are arranged for in accordance with this arrangement.

I do not remember who was the Mahant of Nirmohi Akhara from 1962 to 1964. I do not know the names of the persons who were the Mahants in accordance with the than ancient tradition applicable to Nirmohi Akhara prior to the year 1962. Volunteer : that he know the name of Ram Kewal Dass ji, only and the name of the present Mahant. But I forget his name. He, at present is sitting in the court. When he was reminded, he stated his name as Mahant Jagannath Dass. I know about the disputes concerning to RamJanambhoomi, since 1962. I, on the basis of my personal knowledge can state the conditions later to the year 1962, about the disputed property.

Personal knowledge includes both, what I have heard and what I have seen. Before 1962, my Guru Baba Abhiramdass ji used to tell me about a document. But what kind of the document was it is not remembered to me now. According to saying of my Guru, Raghubardass had filed a suit in connection with the Arajee Nijayee but he came under coercion. I know this much only. I do not remembered whether he pursued the suit further or withdrawn it. I have said Raghunath Dass instead Raghubar Dass ji but there is no specific reason behind it. Raghubar Dass ji was a Mahatma of our Panch Nirvani Akhara. I cannot say that for which patti's sadhu he was. I have not asked to baba Abiramdassji about Raghubar Dass ji about the patti of Nirvani Akhara or place of Raghubar Dass ji.

I have the knowledge of Hindi Language. I am not much educated but can read Hindi. I have not read anything so far about the suit filed by Raghubar Dass and in this connection. My Guru had filed counter statement in O.O.S.No. 4/89 Suit. I came to know in 1962 that a dispute in respect of birthplace had been going on since 1949. A suit under Section – 145 Cr.P.C. is going on since 1949. At that time only I came to know that Sunni Central Board of Waqf, in the year 1961, had filed a civil suit about birthplace. I also came to know that Mahant Raghunath Dass of Nirmohi Akhara had filed a civil suit in connection with the disputed birthplace. My Guru Baba Abhiramdass ji was a contending party in the proceeding under Section-145 Code of Criminal Procedure, pursued in 1949. Nirmohi Akhara or its any Mahant was not involved in that dispute. I have summarily seen the file of the said litigation. Baba Abhiram Dass had also filed a counter statement in that litigation too.

Witness upon seeing the charge sheet filed under Section-145, Civil Procedure Code, said that there were 6

contending accused in the case. Baba Abhiramdass pupil of Jamuna Dass was a party in the case. In addition to his, Brindavandass, Ramvilas Dass, Ramsakal Dass, Ramsubhagdass and Shivdarshandass were also the parties. Among the above person Ramsubhagdass is still alive, who is a Mahant of Mandir Rammahal situated adjacent to Katra Police Post. I do not know whether the above-mentioned 6 persons including my Guru, had filed personal bond or not. On this subject, attention of witness was drawn towards the file of Section-145 Criminal Procedure Code. Witness has recognized the signature of his Guru Baba Abhiram Dass. I cannot recognise the other's signature appended on personal bond. The counter statement filed by my Guru in the proceeding of Section-145 is correct. I identify the signature of my Guru are on it. In para 6 of counter statement filed by my Guru, it is written, "It is a undisputed issue that some land and building in the external part of disputed land is of Nirmohi Akhara and its utilization rights still are with the Nirmohi Akhara". The disputed property, which was attached in 1949, was a part of disputed building with three domes and wall with grill. The Chauhadi written in the attachment document in the litigation under Section-145 of Criminal Procedure Code is correct.

It is correct that in the year 1962, darshan of Ramlalla were made from door with grill fixed in the wall with grill. Disputed building was covered by high raised wall from all the sides. There were Ram Chabutra, Chhattee Pujan Sthal, Shiv Darbar, Bhandar Grih, Sant Niwas etc. in the compound of disputed building, in between the outer wall and wall with grill. There were so many small temples in the land adjacent to compound of disputed building, which were called Sumitra Bhawan, Hanuman ji ka Mandir, Sita-koop, Sakshi Gopal Mandir, Dwarika Dass Mandir etc. and Katha Mandap of Baba Abhiramdass ji was situated at

the outer part opposite of eastern gate. My Guru used to say that Shri Gopal Singh Visharad had also filed a suit in connection with the disputed property and one another similar suit was filed by Paramhans Ramchander Dass.

Map of adjacent area of disputed property filed in the suit by Gopal Singh Visharad, was prepared by Shri Shiv Shankar Lal, Commissioner. I have seen that map. The entire position had been explained in it. My Guru Baba Abhiramdass was a party to the suit No. 4/89 (Old No.-12/61) filed by Sunni Central Board of Waqf. He had filed a counter statement in the suit. This I came to know in 1970-72. It is not fully known to me that for how much land Sunni Central Board of Waqf had filed the suit.

The above counter statement was filed by my Guru Baba Abhiramdass, Bajrang Dass, Satyanarain dass, who belong to our patti, and Pundrik Mishra, advocate. I have no knowledge about what Abhiramdass wrote in the counter statement.

Baba Abhiramdass was a Mahant of Hanumangarhi and Rasoli, Barabanki, at the time when counter-statement was filed. In accordance with my knowledge, in the Khasra-Khatoni (Map) of Rasoli, Barabanki, entered in the revenue record, it is registered as Baba Abhiramdass Mahant, RamJanambhoomi and some land of Rasoli, Barabanki is in the name of Bhagwan RamJanambhoomi and some land is in the name of Harumanji. In Rasoli, about 40 bigha land @ bigha of Barabanki, is registered in the name of Bhagwan Ramlalla RamJanambhoomi. I cannot say that on what basis the name of Baba Abhiramdass was registered as a Mahant of RamJanambhoomi in the Khasra-Khatoni. I have myself read in Khatoni that the said property is registered in the name of Sarvrahkar Baba Abhiram Dass ji of Bhagwan Ramlalla, RamJanambhoomi, Ayodhya, Ramkot. I have a copy of the above Khatoni at my home. This I do not know

who had resolved the said land entered in the above-referred Khatoni, to Bhagwan Ram or Ramlalla. I have no knowledge whether Baba Abhiramdass had in any suit, going on for last 54 years, projected himself as a Mahant of RamJanambhoomi or not. Statement of Baba Abhiramdass, in the enquiry instituted against the Receiver Shri K.K.Ram Verma, appointed in these litigations, was recorded by District Judge, Faizabad. Katha Mandap of Baba Abhiramdass situated opposite to eastern wall of disputed Bhawan was constructed by himself. Size of Katha Mandap might be 100 feet in the north - south and 60 feet in east - west side. I am not aware from where Baba Abhiramdass got the land for Katha Mandap. But I know that his name is registered in the city municipality with the name of Katha Mandap and map of Katha Mandap was also in his name. I have not seen the Khasra-Khatoni of Katha Mandap, as such I cannot say whose name is registered in it.

Verified the statement after reading

Sd/-

Mahant Dharm Dass

10.3.2005

Typed by the stenographer, in the open court as dictated by us. In continuation to this, the suit may be fixed for further cross-examination on 11.3.2005. Be present on 11.3.2005.

Sd/-

10.3.2005

Before: Hon'ble Special Full-bench, High Court of
Judicature at Allahabad, Lucknow Bench,
Lucknow:

Dated 11.3.2005

D.W. 13/1-1 Mahant Dharamdass

(In continuation to dt. 10.3.2005, cross-examination on oath of D.W.13/1-1, Mahant Dharamdass by Shri Ranjeet Lal Verma, advocate, on behalf of plaintiff, Nirmohi Akhara of Other Original Suit No. 3/89, continued)

I got the complete knowledge about the Suit-145 of 1949 under Criminal Procedure Code from my Guru. I also came to know that 15 Muslims had filed affidavit in that litigation to the effect that namaz was never read in the disputed building. Again said that perhaps it was stated that namaz was never performed in the disputed building after 1934. I am also aware that Baldev Dass of Nirmohi Akhara has filed counter statement and affidavit in the suit under Section-145 Criminal Procedure Code. I saw Mahant Baldev Dass ji in 1962. I used to go to Faquire Ram Ashram in Ramkot Mohalla to study Ramayana. There I used to see Baldev Dass ji. He was a Mahatma. In addition to Faquire Ram Ashram, I used to see him at Hanumangarhi, Nirmohi Akhara, Ramghat etc. but we have never seen him in the disputed building. I do not know whether Baldev Dass ji used to live in Nirmohi Akhara or not. I did not used to go to Nirmohi Akhara to see any one, but I used to go there as a devotee.

I used to go to Nirmohi Akhara to take the darshan of Ramjanki Thakur. I have gone to Nirmohi Akhara at a number of times. Vigrah in Nirmohi Akhara is about two and half feet in height. In that Vigrah, Bhagwan Ram was

shown with a bow and arrow. The name of this temple may be Vijay Raghav. I do not know whether the name of Vijay Raghav is written on it or not. I am not aware whether Baldev Dass ji was a Mahant of Hanumangarhi Mandir at Naka Muzaffara, Faizabad or not. At present, Bhaskar Dass ji is a Mahant of Naka Muzaffara, Hanumangarhi. I know him since 1982-83. I met to Bhaskar Dass ji at Ayodhya in the year 1982 but at what place, I do not remember. I had not met him at birthplace site. I had also not met him at Sita Pak-rasoi, Janamsthan, which is in the northern side of the disputed premises. I had not been and I am not aware that Bhaskar Dass ji was a pupil of Baldev Dass. I also do not know whether Bhaskar Dass ji is a sarpanch of Nirmohi Akhara or not. I do not remember whether Mahant Bhaskar Dass ji as a sarpanch/vice-sarpanch had filed any affidavit against me in the suit in which I came to depose. I never saw Baldev Dass reading-writing.

Upon this point Learned advocate cross-examining, drew the attention of witness towards the written statement of Baldev Dass ji filed in pattrawali (File) of Section-145, Criminal Procedure Code. On seeing this, witness said this was filed alongwith the written statement of Baba Abhiram Dass ji.

Shri Devki Nandan Agarwal ji has filed a suit on 1st July 1989 in connection with the disputed Bhawan and I had filed a counter statement in that case. I have also filed a counter statement in connection with the suit No. 4/1989 filed by Sunni Central Board of Waqf. At present I do not remember that in which suit, suit filed by Agarwal ji or suit No. 4/89, I had filed the counter statement first. I have obtained the information about the documents before filing counter statement and got the counter statement

prepared by Adocate and then filed it. I do not remember at present whether Abhiramdass ji had filed any document in leading case No. 4/89 or not. I am not aware that regular disputes used to be happened in between Baldev Dass ji and Abhiramdass ji, over performance of Havan, Yagna, Nawa-path infront of Ram Janambhoomi. On this subject attention of witness was drawn towards suit plaint of Other Original Suit No. -1/89, but the Learned advocate cross-examining and asked about the property, for which Gopal Singh Visharad has filed a claim in this suit. Witness after reading, answered that this suit was filed in connection with the RamJanambhoomi where disputed Mandir is situated. In this suit boundry of property was shown similar to that which was attached. I do remember that Shri Shiv Shankar Lal, advocate was appointed as a commissioner, in Suit No. 1/89, by the Court. At this point, witness was shown the map (document No. 136/6c) prepared and filed by Shri Shiv Shankar Lal, Advocate/Commissioner.

Witness after seeing it answered that he has seen that map before filing the counter statement. In this map Sita-koop was shown towards South in the east of Hanumath dwar. According to my assessment, on ground, it is at a distance of 100 feet. In this map, a temple is shown under a tree of a Peepal-pakkar in the north of Sita-koop. There was a small temple called Sita-koop Mandir. There was no manager or Mahant in that temple. It was a small temple where devotees offer water from Sita-koop. I do not remember which Bhagwan's idol was installed therein. I also do not remember whether an idol of Shankar ji was in that small Mandir or not. I never offered water in that Mandir. In this map, Guphakutti was shown in the north of this small temple, wherein Sadhu used to live. This Guphakutti was in existence, where

Sadhus used to live. Mahatmas used to live in this Guphakutti but to which Akharas they belongs, I do not know. In this map Mandir Shri Vijay Raghav Sakshi Gopal has been shown in the north of Guphakutti. Its some parts still in existence. In this map, the route, which is passing through in front of Hanumath dwar upto Sahshi Gopal Mandir, meets at the crossing; Faquire Ram Ashram is in the north, opposite to the road, Sakshi Gopal Mandir. It is Faquire Ram Ashram, where I used to go to study and to listen Ramayana. I have not met Baldev Dass ji at the above-referred crossing, but in the Fawuire Ram Ashram. In this map Shankar Chabutra has been shown opposite to Hanumath dwar. I will not be able to say about the situation of disputed premises in 1950 because I came to Ayodhya in the year 1962.

The portion shown in this map had not been there in the year 1962. When I came to Ayodhya in 1962, there was a Katha Mandap and Hawankund in the eastern side, at the outer part of the disputed premises. Hanumath dwar was at a distance of about 10-15 feet from Shankar Chabutra. When I saw Shankar Chabutra in 1962, for the first time, its area might be 10 X 10 and 6 inch high from ground level. There was no Argha of Shankar ji etc. on the Chabutra at that time. It was a simple Chabutra. There was a Hawan Kund at the distance of 10 to 15 feet in the east of Shankar Chabutra and Baba Abhiramdass Katha Mandap in the south-east side, at a distance of 20-25 feet from Hawankund, where Katha(religious discourse) were organized daily. This Katha Mandap was at a height 10 feet in the south, 2 feet in the north and similarly half portion of western side was at the height of 23 feet and half of remaining parts was 8 feet high. This was the height of floor of Katha Mandap. I cannot tell any thing about this whether this Chabutra was made of Bricks or of

sand or of sand and bricks . Its floor was Pakka .Chabutra Katha Mandap was covered by tin shade from the above. This Katha Mandap was covered with iron grill from all sides. This I have been seeing since 1962. Iron grill and tin shade in the Mandap was constructed by Guruji but when, I do not know.

At this point attention of witness was drawn towards "List of documents" document No.430/C-1 to 430/C-1/2,(Other Original suit no. 4/89). The witness after seeing it, answered that this was filed by my Guru Baba Abhiramdass and his signature are there in the document. Abhiramdass Sadik pupil of Mahant Sarju Dass resident – Ayodhya was written at the top of the paper.It is correct to say that Abhirambass was also Papil of Jamunadass ji and also of Sarjudassji. Sadik Pupil means a person who do Sadhra. At this point, attention of the witness was drawn to document No. 431 C-1 and Learned advocate cross-examining asked whether the Mandap was covered with a thatch before, witness after seeing it said it might be, but I have seen it covered by tins. It is fact that Baba Abhiramdass, in this paper, sought for permission to cover the Mandap with tins. I have no knowledge whether permission to cover the roof with tins was granted or not. I cannot say that concern officer has not granted permission to cover the Mandap with tins. I have been seeing tins there since my recruitment.

I cannot say whether our Guru Baba Abhiramdass has given an application against Baba Baldevdass, to the City Magistrate or not. At that time I was busy with the work of Ashram and Ramayan Path and up to that time I was kept outside from such type of matters. It is fact that Baba Abhiramdass, had organized a Ramayan Path in the eastern Mandap of Hanumath dwar in 1962. During that

programme Katha was performed in Kathamandap and Hawan was performed at the vacant land. 400-500 persons, chanting Ramayan, were sitting there in the programme. Some of them had chanted Ramayan by sitting on the ground and some had at the outer place. It is not correct to say that permission to organize Ramayan Katha at the ground only was granted. It is not correct to say that there was no Kathamandap at that place on 29th December 1962. I am not aware whether Baba Baldev Dass was also wanted to organize Ramayan Path and Hawan at that place, where Baba Abhiramdass wanted organize. I do not remembered, if I was there from 21st December 1962 to 29th December 1962 or not, but this much I do remember that I have participated in the programme arranged by Guruji in 1962.

Sumitra Bhawan might be at a distance about 150 feet from above mentioned Kathamandap. I have no knowledge that Baba Baldevdass has collected bricks for the construction of Hawankund at the ground, east to Hanumathdwar on 29th December 1962. It is not correct to say that Baba Baldevdass has organized Hawan and Nawah Path in December 1962. I have no knowledge whether City Magistrate, in December 1962 allowed to construct the Hawan Kund of Baba Baldevdass at a distance of 100 feet, in the north, of Sumitra Bhawan or not. I have no knowledge if Baba Baldevdass was prevented by the officers from constructing Hawan Kund in the east of Hanumathdwar or not.

Above Kathamandap was at a distance of 20 feet from Shankar Chabutra. Kathamandap was in the south - East Side from this Chabutra. Hawan kund would be at a distance of 170-175 feet from Sumitra Bhawan.

Witness, after seeing the document No. 437-C-1 of Other Original Suit No. 4/89 said that the name of Baba Abhiramdass is written on this paper and his address

written as Hanumangarhi, Ayodhya. The address where electricity connection had to install was written as RamJanambhoomi Temple. I cannot say if an application for electricity connection was made in 1960 or not. Then said that it appears from seeing the paper that application was made in 1960.

Before becoming pupil of Baba Abhiramdass in 1962, I never had visited to RamJanambhoomi Mandir for the darshan of Ramlalla. Electricity was there in 1961, in the part of disputed Bhawan or below the mid dome, where Ramlalla was sitting. At present, I am not recollecting the place where electricity meter was installed, or it was not installed. I have been visiting to the inner part of Bhawan, after its was unlocked. My Guru – Bhai, Sateyender Kumar Dass was appointed receiver to Pujari in 1990-91. Sometime I used to distribute the Charanamrit prasad to the devotees, although it was not a part of my duty. I have been regularly visiting there after it was unlocked in 1986 and upto the demolition of disputed Bhawan. In addition to take darshan, I also used to go to see my Guru-Bhai Sateyender Kumar Dass and to help him. I do not remember if a separate electricity meter in the name of Receiver was installed in the disputed Bhawan or not. But this I do remember that Electricity bill was being issued in the name of my Guru Abhiramdass.

There was a meter in Sant Niwas. Besides, there was no electricity meter in the outer part. On entering from Hanumath dwar, there was a Sant Niwas in the right hand side. I do not know on whose name the electricity bill of Sant Niwas was issued. I also do not know on whose name the electricity meter was. There was a electricity meter at Katha mandap, the bill for which was received in the name of Ramayani, who used to state Katha. Ramayani used to live at Mohalla Kaniganj and used to come to state Katha daily. His name was Hanuman

Prasad. Then said the payment of the bill was being made by Shri Hanuman Prasad. I do not know if electricity meter was in his name or not. Upon seeing the document No. 445-C-1 and 446-C-1, he said these bills were for Rs. Three or Four for the disputed premises. There was electricity connection at the room of Baba Abhiram Dass ji, which was his residence. At present I am living in the same room, where my Guru used to live in and I am a Mahant of the same seat. Yesterday I have stated in my statement that I knew Ram Krishna Dass of Abhiramdass Seat, Barabanki. Perhaps I forget to prefix Shri before his name. It is not correct to say that actual name of shri Ram Kishan Dass was Shri Krishna Dass. Baba Abhiramdass had no disciple by the name of Shri Krishna Dass, except Shri Ram Kishan Dass. We do not know i.e., we do not remember for which property of Mohalla Vibhishan Kund, we, i.e., Shri Krishna Dass, and me as a witness signed a Bainama (affidavit) Document or not.

At this, witness was shown sale-deed dated 8.4.1981 executed by Ram Krishna Chari pupil of Ramprapana Chari. On seeing it witness said there are my signature upon it, as a witness. Upon seeing this affidavit witness said I couldn't say if signature of Mahant Shri Krishna Dass pupil of Baba Abhiram Dass are with side of my signature or not. (Shri R.L.Verma, learned Advocate, has filed a photocopy of above affidavit alongwith the document No. 263-C-1. Affidavit was marked with document No. 264-C-1/1 to 264 C-1/23).

There was a platform for kirtan in the outer compound of disputed Bhawan, opposite to Ram Chabutra, in the northwest side, i.e. adjacent to the wall with grill. On said platform, kirtan used to be chanted under the direction of Baba Abhiram Dass. It is not correct to say that Baba Baldev Dass of Nirmohi Akhara was the director of the above kirtan platform. Witness on seeing the

document No. 449-C-1, said it was printed by Baba Abhiramdass through which he removed the director, Janambhoomi Akhand Kirtan by alleging charges against him. Then said this leaflet is about to remove Baba Ramlakhan Sharan from the post of Director, but I have no knowledge about it. I do not know anything in the matter, if there was a dispute with the Baba Ramlakhan in 1973, about this particular platform of Nirmohi Akhara or not. I am not aware if commission from the Court visited a number of times to take measurement of Chabutra. Baba Ramlakhan Sharan used to lived in Manas Bhawan. As per my knowledge Baba Ramlakhan Sharan came to Ayodhya after 1949. Peoples says that he came to Ayodhya after 1949 but I do not know when he came during 1949. I have no knowledge if he came to Ayodhya in 1958 and might have executed the affidavit of the land of Manas Bhawan after his arrival in 1958. I have been living in Ayodhya from 1973 to February 1983 but used to go to participate in wrestling tournaments at an interval. During this period, I have seen the tin board fixed in outer compound of disputed Bhawan, but there was no board at or around Ram Chabutra. It is not correct to say that there was a 5 feet X 2-½ feet board over the Ram Chabutra.

Verified the statement after reading

Sd/-

Mahant Dharmdass

11.3.2005

Typed by the stenographer, in the open court as dictated by us. In continuation to this, the suit may be fixed for further cross-examination before commissioner on 14.3.2005.

Sd/-

11.3.2005

Before : Commissioner, Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special
Duty, High Court, Lucknow Bench, Lucknow.

Dated 14.3.2005

D.W. 13/1-1, Mahant Dharmdass

(Commissioner appointed vide order dated 11.3.2005
passed by Hon'ble Full Bench in Other Original Suit No.
4/89)

(In continuation to dated 11.3.2005, Cross-Examination on
oath of D.W.-13/1-1, Mahant Dharmdass by Shri Tarun
Jeet Verma, advocate on behalf of Nirmohi Akhara,
plaintiff, Other Original Suit No. 3/89, continued)

I have the knowledge about disputed premises and
its near-about areas. There was a Chabutra on the
disputed premises. This Chabutra was 21 feet in length,
in north-south and 17 feet width in east-west. It was four
feet high. Ram Chabutra was covered by thatched from
above. There was no tin board at Ram Chabutra. There
were three stones. *Chaupaies* of Ramayana were written
on all the three stones. These stones were fixed at the
four feet high wall of Ram Chabutra. There was a cave at
the Chabutra. Caves were two in number. In one cave,
there was an idol of Child Rama giving food to Kak
Bhushundi. This cave was towards west. In eastern cave,
there were little idols of Bharat-Satrughan and a darbar in
eastern cave. This cave is one feet in length, where an
idol of Hanumanji was kept.

When I went to Ayodhya in the year 1962, there was
a tin shade at Ram Chabutra, at that time, but it was too
small. This tin shade was covered with thatch to prevent

heat. There was a Shiv Darbar at south- east corner of Ram Chabutra. This Shiv Darbar was at a distance of approx. 10 feet from southern Chabutra. Shiv Darbar includes idol of entire family. An idol of Panchmukhi Shankar ji made from marble stones was one feet in height.

I have the knowledge about Chhatti Pujan Sthal (Site). This place was situated in the western side opposite to northern Singh Dwar. There was a tree, perhaps neem tree. So far I know, it was not a Bail tree. There was no flag on the tree. I am not recollecting if tin board was fixed at the tree or not. It is not correct to say there was a board at a tree adjacent to Chhatti Pujan Sthal, and "Ram Lakhan Golki Vyavasthapk" was written over it. There was a Sant Niwas, covered by tins, inside the disputed premises.

Learned advocate cross-examining drew the attention of witness towards para 6 of the Examination in chief affidavit. Witness after reading it said that Sant Niwas is referred there in first and second line of the para. I have the knowledge of geographical condition of Sant Niwas, situated inside the disputed premises. This sant Niwas begins little bit away, approx. from 5-6 feet away in north from Hanumath dwar to 20-25 feet in the north. The roof of this Sant Niwas was of tins. It was separated by a boundry of tin or cloth in the inner portion. There were doors in Sant Niwas, these opens towards the west. No other door was there. Mahatma stayed there in it. Some pupils of Abhiramdass ji and a Pujari, Siya Raghav Sharan was living there. Besides, none lived there. Mahatmas, who comes from outside also used to stay there. These Mahatmas comes there to see Abhiramdass ji. Siya Raghav Sharan was a pupil of Lal Sahib. Lal Sahib's

place is situated adjacent to Kanak Bhawan. Siya Raghav Sharan was from Rasik community. Siya Raghav sharan, was a pupil of Lal Sahib's place. I know Siya Raghav Sharan since 1970-75. Siya Raghav Sharan's place was in Swargdwar Mohalla. He also live in Sant Niwas. He used to come to Sant Niwas and stay there for some time. Door of Sant Niwas opens towards western side. At the top of that door name of Ram Lakhan Saran was written. Then said his name was not written there. His name was written at a place where kirtan was conducted. Full name of Ram Lakhan Saran was Ram Lakhan Saran Bhagat. There were three stones fixed above the Ram Chabutra Cave. "*Vyapak Brahm Niranjana, Nirguna vigat vinod, so aj prem Bhagtivash Kaushaliya ki goad* " was written on one of the stone. Couplets were written on the rest two stones. On one stone "*Vishav Bharan-Poshan Kari Joi, Takar naam harau asi ho*" was written. On the third stone "*Jake sumiran tere Guruasa, naam satrugan ved praksha*" was written.

Hanumangarhi is a fort, I know about this. But I was not aware that hanumangarhi is constructed on a hillock. Learned advocate cross-examining drew the attention of witness towards para 1 of his Examination in chief affidavit.

Witness after reading it said in the second and third line it was written by me that "I am a Mahant of my seat" which means where ever a person lives, that place is called his Asan and he has a claim (share) in Hanumangarhi. This share is for ¼ part. People living in Hanumangarhi, gets "Ser-seedha" and "Osra". Seat (Asan) means, the place where one's live. There are so many Asan in Hanumangarhi. Whosoever has Asan there is called Mahant. Patties are also there in Hanumangarhi.

I have already stated that there are four patties in Hanumangarhi. There are written records about the Mahants of all four patties. Written record is also kept in respect of Mahant of Nirvani Akhara. The name of my Guru Shri Abhiramdass is in the record. I went to Hanumangarhi when I came to Ayodhya for the first time. Those who get "Ser-seedha" from Hanumangarhi, their names are recorded. My name was included in the list of persons getting "Ser-seedha" 15 days after I reached there, in 1962, in Hanumangarhi. At the time when I reached Ayodhya in the year 1962 my Guru Abhiramdass ji was a Mahant of many other places, other than Hanumangarhi. These places include, Hanumanji Ka Mandir i.e., Hanumangarhi in Kanhai village of Rasoli, RamJanambhoomi, Barabanki. Baba Abhiram Dass was not a Mahant of other than three places. Volunteer : that agricultural undertakings were in his name. A book, in regard to customs and traditions of Hanumangarhi was published in the year 1964. Rules also cover the Hanumangarhi Mandir, situated at Ayodhya, but there is no reference about any other temple. Then said that these rules were applicable to Kapil Munni Mandir, situated at Ganga Sagar. Ganga Sagar is in Bengal State.

Learned advocate cross-examining drew the attention of the witness towards the document No. 43 C-1/5 "Brief history and rules, Shri Hanumangarhi Ayodhya ji Faizabad (Uttar Pradesh)". Witness on the suggestion made by Learned advocate cross-examining, after reading the page 24 of this book, replied to a question that among the names listed in second para of this page, my Guru's name is at Sl. No.4. Shri Saryu Dass ji was a Guru of Shri Abhiramdass. His name is also listed at page-24. At Sl. No.-2 in second para at this page "Signature Saryudass" is written and at Sl. No. 5, "thumb impression" Sarju Dass is

written. These, both Sarju Dass were not the Gurus of my Guru Abhiramdass. These two persons are different persons. Guru Maharaj of my Guru Abhiramdass was not alive at the time of publication of this book. Attention of witness was drawn towards page no. 3 of the book by Learned advocate cross-examining; witness after reading it, replied to a question that there is a reference of institution of three Annees for the propogation of fourth Sect by AnuBhawanandji and Balanandji about 500 years before. The "Five hundred years" mentioned in the first line of second para at page No. 3 of this book, was referred as 500 years back, prior to publication of book in 1963-64.

There were Sursura Nand and number of Saints in the tradition of AnuBhawanandji and Balanandji but their names, I am not recollecting. Witness again said that Pohari ji Maharaj was also from this tradition. According to this rule, there is a Panchayati System in Hanumangarhi. In accordance with this tradition, whenever a person comes to Hanumangarhi he in accordance with the seniority is called by the name of Chhora, Hurdanga, Naga Ateet etc. My Guru Abhiramdass besides me, had other pupils also. Among them, Goverdhan Dassji, Ram Kishun Maharaj ji, were real brother of Abhiramdass ji and were wrestler. Sateyander Dass ji, Ramanuj Dass ji were also his pupils. Volunteer : that Ram Kishun Dass ji used to teach me wrestling. That is why I recognize him a Guru. The three Annees referred in the rules, have the same tradition. But their procedure for electing a Mahant was not same. The procedure for electing a Mahant of Annee is different than the procedure for electing a Mahant. In this, an Annee Normohi was referred. Annee and Akharas are two different things.

Learned advocate cross-examining drew the attention of witness towards para-2 of his affidavit. Witness in reply to a question said, I have no knowledge about my date of birth. In para-2 of my affidavit, the name of my natural father is recorded as Shri Prabu Kunwar. My name was Bhanu Kunwar when I was with my father. I had been admitted to school by this name. I have studied up to 5-6th class in my village-Dumri. Village Dumri is situated in Distt. - Baksar, Bihar. I continued my studies even after coming to Ayodhaya.

This study was about Ramcharit Manas. I have not studied in any School or College in Ayodhaya. I came to Ayodhaya from my village Dumri, alone. I did not go to my Guru through any mediator. On reaching Ayodhaya I went to Saryu for bath. There my Guru was also taking bath. I met him there for the first time. I have referred my Gurubhai Sateyander Kumar Dass in my statement. He was in Hanumangarhi, before I came to Ayodhaya. I am not recollecting at what time he was a Pujari in Janambhoomi. I used to go to see Sateyander Kumar Dass. I have mentioned at page 30 my statement dated 11.3.2005 that Sateyander Kumar Dass, my Guru bhai, was appointed a Pujari by Receiver in 1990-91. It is true. The fact written in this statement is correct that I used to help my Guru Bhai Sateyander Kumar Dass in his affairs. Aarti-Bhog was conducted in the disputed Bhawan at the time, when I came to Ayodhaya in 1962. I know how many types of Bhogs are there. These are Bal – Bhog and Rajbhog. Bhog is offered at a number of times. Bhog offered in the morning and in the evening is called Bal-Bhog and Bhog offered at noon is called Raj Bhog. Bhog is also offered at the time of Aarti and Bayaru. Bayaru means sleeping times. Shringar Bhog is offered at the

time of festival. This Bhog is offered at the time of Annkoot, in which 36 kind of Bhogs are offered.

I do not know about Utthapan Bhog and Mangal Bhog. The Bhogs, which I have mentioned were offered in the disputed Bhawan. Important Aarties like Mangal Aarti, Shringar Aarti, Bhog Aarti, Sandhya Aarti and Shayan Aarti were also conducted there daily. These Aarties are continued even after unlocking the premises. I have never performed Aarti in the disputed Bhawan. This Aarti is performed by the Pujari. Mahant and Pujari have separate works to do. Mahant can never be a Pujari in writing.

Learned advocate cross-examining drew the attention of witness towards document No.18 A-2/1 filed in Other Original Suit No. 3/89, witness on seeing it said that in this affidavit my age is written as 38 years in 1990. I was about 15 years old in 1962. This affidavit was filed by me. I know Ram Kewal Dass ji. Ram Kewal Dass ji was living in Ramghat Mohalla. Volunteer : he had been living in the drawing room of Ramanandiya Nirmohi Akhara. I do not remember if I had referred Mahant Raghunath Dass pupil of Mahant Dharamdass, Prem Dass pupil of Mahant Goverdhan Dass etc. in the affidavit or not. I have no knowledge about Raghunath Dass, Prem Dass and Goverdhan Dass. I have filed a will in this litigation, which was written by my Guru in my favour. Witness, after seeing document No. 18 A-2/25 to 18-A-2/29 said this is the will, which was executed by my Guru in my favour.

Learned advocate cross-examining drew the attention of the witness towards document No. 18-A 2/26. Witness said that it is written on this paper "My one reliable pupil is Pahalwan Dharmdass, Sadhak (one engaged in spiritual achievement) pupil Baba

Abhiramdass. According to me there is no difference among Sadhak pupil and pupil. One who is engaged in spiritual achievement is called Sadhak pupil. I know about Siya Raghav Saran but I have no knowledge about Ram Swaroop Dass.

I do not know about the Suit of 1973 in between Nirmohi Akhara and Ram Lakhan Saran Bhagat. I have no knowledge whether Pateswari Dutt Pandey, Advocate was appointed a Commissioner in a suit or not. Akhand Kirtan used to perform continuously in disputed premises, wherein donation etc. was also offered. About 25 Mahatma used to take part in Kirtan. Five-six people used to perform Kirtan at a time. They used to live upon with whatever donation was received. In case money falls short to their needs, money used to be collected from Sant - mahatmas of Ayodhya and also from outsiders and it was given to them. Here money means arrangement for their food etc. People, who performed Kirtan, were given cash also. Donation received was recorded by mukhtar, but no details are known about this record. Money received as donation was spent on the maintenance of the disputed premises. Maintenance means, meeting the expenditure on Sameya festival and Food and expenditure on cooks, sweepers and who cleans utensils.

Learned advocate cross-examining drew the attention of witness towards document No. 439-A-1 of Other Original Suit No. 4/89. Witness after seeing the document said that it is a notice, served by my respectable Guru. In this notice Janamsewak Abhiramdass is written at the bottom. This notice was in regard to perform Ramayan Path in respect of Aarti, Puja, and Sameya festival. I have no knowledge about this notice because this notice was issued before I was

recruited. This notice was served by Baba Abhiram dass ji . Attention of witness was drawn towards document No. 440 A-I of the suit by Learned advocate cross-examining. Witness after seeing the document said, in this notice, name of Shri RamJanambhoomi Uddharak Baba Abhiramdass was written as an applicant, which is correct. Volunteer : Abhiramdass was called as Uddharak Baba by all Ayodhya dwellers. This information was about the Prakatya celebration. This jubilee celebration falls on Monday, Shukla Paksh Pratipada, Paush month. Learned advocate cross-examining drew the attention of witness towards document No. 447-A-1 of the above suit. Witness on seeing the document said, that names of Pandit Sateyander Kumar Dass and Kailash Nath Pandey is written as an applicant. Kailash Nath Pandey is a master. He was a social worker and teacher in a Sanskrit School. Now he has been retired. Sateyander Kumar Dass is my Guru Bhai.

This notice was in respect of the celebration organized w.e.f. 19.8.64, Wednesday to 23.8.1964. It was very large celebration, wherein a number of scholars of India had participated. In the second para of this notice, name of Paramhans Ramchander Dass is written and his residence at Khak Chowk was also mentioned. Volunteer : Paramhans Ramchander Dass was living at Khak Chowk in 1964. I know him. He was an associate of my Guru.

Learned advocate cross-examining drew the attention of witness towards document No. 448/C-1 of above-mentioned Suit. Witness after reading the document said that this notice was issued by Abhiramdass ji. It was proper. This notice was about appearance of God. I know about this notice. In second para of this document there was a mention of sending to jail for five

times and 14 suits, but no punishment was awarded in any suit. Volunteer : that this was a false suit, which was filed by some ill-feeling people. Witness on the suggestion made by Learned advocate cross-examining read the facts written under the head "Caution" at the bottom of this notice and said that it was written therein that some people are asking for donation in the name of Ram Janambhoomi. Donation may be given to these people only who incurred some expenditure in respect of Suit in regard to RamJanambhoomi, Bhog-rag or Sameya celebration. Volunteer : that notice is right. Donation also comes from outside. Donation is also collected from local people. Some donation might be receiving through money order from outside. Receipts were also issued. Then said I have the knowledge about the money orders.

Money order used to come at the address of RamJanambhoomi. Document No. 448 C-1 was about the management of RamJanambhoomi. Donation collected in the name of my Guru Shri Abhiram Dass ji was given to him. Funds collected from donation used to be utilized for incurring the expenditure in connection with the suit under Section 145, RamJanambhoomi and for the employees and Bhog-rag. The details in regard to money received from donation used to keep by Mukhtar.

Learned advocate cross-examining drew the attention of witness towards document No. 449 C-1 of the above suit. Witness said that this information was extracted by my Guru. This notice was brought out by my Guru in support of Ram Lakhan Saran Bhagat. There is a reference of Red pamphlet in this notice and it was written in it that Ram Lakhan Saran Bhagat has been removed from Kirtan. Hence my Guru has brought out the notice against his expulsion. Red notice was brought out by

some people of Ayodhya. It was learnt that this notice was brought out by Baldev Dass against Ram Lakhan Saran Bhagat. I have not seen the Red notice. Witness after drawing his attention towards para 4 of the said notice, said that this notice was brought out by my Guru in favour of Ram Lakhan Saran Bhagat. In all the papers shown to me during Cross-examination, the word Mahant has not been prefixed in the name of my Guru. Somewhere it is written as Abhiramdass and somewhere as Baba Abhiramdass. The same portion is of my affidavit. This is because, my Guru supposed himself as a Sewak (Servant) that is why, in the above information; he did not use the word Mahant before his name. I have never seen Mahant Baldev Dass ji, mentioned above in my statement, at Janambhoomi.

Learned advocate cross-examining drew the attention of witness towards examination in chief affidavit. Witness said, in the last 2 lines of para- 12 of this affidavit, I have stated that, "Followers of any other religion or Sect cannot enter in the premises of disputed premises".

Learned advocate cross-examining drew the attention of witness towards a part of his statement recorded on 11.3.2005, "*Baldev Dass ji ka darshan Vlvadit Bhawan main unko Kabhi Humne nahin Dekha*". Witness said that in this statement I have not said that Baldev Dass ji never went for darshan. Rather I have said I have never saw him at disputed site. Volunteer : that Baldev Dass died roughly in 1965-1966.

I knew Devki Nandanji, Devki Nandan Aggarwal, in a plaint of the suit filed by him, shown me as related to the trust, which is correct. At present I am in dispute with the

trust. But prior to this, I was its member. At present I am in dispute with the Trust, in which connection suit is pending in the Court of Distt. Judge, Faizabad. I am not a member of Vishwa Hindu Parishad. Sita-koop, Sumirta Bhawan and Katha Mandap were near disputed premises. Katha Mandap and sumitra Bhawan does not exist now. Sita-koop is still there. This is the same Katha Mandap, which was run by my Guru.

Learned advocate cross-examining drew the attention of witness towards picture No. 13 to 16 of Colour Album document No. 200 C-1. Witness after seeing the pictures, replying to question, said all these four pictures are of one place. There is picture of Varah Bhagwan in picture No.-16. Volunteer : that picture No. 14 and 15 also have the same position. These pictures were taken from different directions. These pictures are of the southern and eastern corner of the disputed premises. This picture was at eastern wall in east south corner to north side of the wall. Volunteer : that this picture as adjacent to wall.

Learned advocate cross-examining drew the attention of witness towards picture No.37 of this Album. Witness said that this is the picture of gate. This is the picture of eastern gate. Witness again said that he is not recollecting which gate is appearing in this picture, because the picture has not been taken from correct direction. May be, Northern Gate is appearing in picture No. 37. Eastern gate is appearing in picture No. 38 of this album. Northern gate is appearing in picture No. 39 of this album. Top part of gate is appearing in this picture. Singh dwar is appearing in the upper part. There appears an idol of a deity, but it is not clear. This is the gate of

disputed premises. Northern gate is appearing in picture No. 41 and 42 of this album. This picture is in two parts.

Witness was shown the picture No. 43. Witness said that Ram Chabutra is appearing in this picture. My photo is appearing in this picture. It is correct that shops adjacent to Hanumath dwar are appearing in the picture No. 43. For the first time I have said that Ram Chabutra is appearing in this picture, which because of an illusion. Witness said that eastern gate is appearing in this picture. A stone is clearly appearing in this picture. The witness after seeing the picture No. 46 of the album said that main gate i.e., Hanumath dwar is appearing in this picture. There are two pillars of Kasouti, in this picture. Volunteer : that Kirtan Bhawan is also appearing in picture No. 48 of this album, which is a pillar of Kasouti. This pillar is painted with red colour and a pitcher at the lower part of the pillar. Miscellaneous pictures are there on the picture. Picture No. 49 was shown to witness. Witness said this picture is in Topsy-turvy. A pillar is appearing in this picture. Lower part of the pillar is appearing in the picture No. 50, wherein a pot was fixed and picture of Hanumanji at the top. Hanumanji, with a club and a mountain. One side portion is appearing as broken one. Upper part of the pillar is appearing in picture No. 53. A pitcher is appearing in picture No. 54. There are miscellaneous pictures, flower-leaves on the lower part and picture of Hanumanji in the upper part. The Scene of Ram Chabutra is appearing in picture No.56.

In picture No.56 the thatch of grass appearing in the back side is a Ram Chabutra. Tin shade is appearing at the frontside, which is a Kirtan Bhawan. Ram Chabutra is appearing in picture No. 57. Lower part of Ram Chabutra is appearing in picture No. 58. There is Hanumanji and

two idols in this portion. These idols were painted with the same type of sindoor that is why it is not distinctive. One tin-shade is appearing in picture No. 59 of this album and a Basaha Bullock in the upper part. This is a picture of east south corner of the disputed premises. The Parvati, Shankerji and Ganesh and entire family is appearing here. One big tree is appearing in this picture. In picture No. 61 of the album, a Basaha bullock, Shankarji, Parvatiji, Ganeshji and two Pind of Shankarji are appearing. Among these Pinds, one is of shankarji and another is of Narvadeshwar Bhagwan. Witness after seeing the picture No. 62 of the album said that northern portion is appearing in the picture. Western wall of the disputed Bhawan is appearing in this picture. This is a photo of a corner. In the picture no. 67 of the album, a second gate, which was towards east, is appearing.

Learned advocate cross-examining drew the attention of witness towards picture No. 69 to 72 of this colour album. Witness after seeing these pictures said that all these four pictures are of one place. These photos are of Kaushalya Rasoi. Volunteer : it is also called Sita Rasoi. This portion is adjacent to Singh dwar towards West.

Witness after seeing the picture No. 79, 80 said that these are the pictures of comound of disputed Bhawan.

Witness after seeing the picture No. 111 of the album said a Hanumanji is appearing in this picture. A club and tail is appearing in this picture. In addition, one pillar is appearing. Miscellaneous pictures and a pot is appearing in the rear part of the pillar. Pot is painted with Sindoor. Upper part is covered with picture. Witness after seeing the picture No. 121 of this album said that main gate of

disputed Bhawan is appearing in this picture. Pillars of Kasauti are appearing in the picture. Pitcher, picture of Hanumanji, painted with red colour is appearing at both sides. Witness after seeing the picture No. 113 and 114 said that picture of a lower part of a pillar at main gate of RamJanambhoomi is appearing in these pictures. A pitcher is carved at the pillar and pitcher has miscellaneous pictures. An idol of Hanumanji is there in the middle. A scene, like bush is appearing on the side of Hanumanji. Besides, there are flowers and leaves. Witness after seeing the picture No. 118 and 119 of this album said that upper portion of the pillar is appearing therein, which is like flower-leaves and a wheel.

Witness after seeing the picture No. 152 to 155 of this album said these pictures are of one place, which were taken from different angles. These pictures are of birth place. A throne is appearing in these pictures.

An idol of God is appearing in the upper part of the throne. An idol of Bhagwan is also appearing in the lower part. In addition to this, photo of Durgaji is therein. Witness after seeing the picture No.-157 of this album said that a pot is appearing in this picture. In addition to that, an idol of Ramlalla and Thakurji is also appearing therein. One pillar is also appearing, this pillar is of west side wall and an idol of God is at it. In addition to this, a bell is also appearing. Pillar is with miscellaneous pictures. Witness after seeing the picture No. 185, 186 and 187 said that a pillar is appearing in picture No. 185. Pillar is at the lower part and a pitcher on it. Picture No. 186 contains miscellaneous pictures and a picture of Hanumanji with folded hands. Lower part of the pillar is appearing in picture No. 187. This pillar was at the main gate of the disputed Bhawan. In picture No. 202, Ranjeet

10983

Lal Verma is taking milk. In picture No. 204 of this album, Jilani Sahib is taking some food and Mannan Sahib is drinking something.

Verified the statement after hearing

Sd/-

Mahant Dharm Dass

14.3.2005

Typed by the stenographer, in the open court as dictated by me . In continuation to this, the suit may be fixed for further cross-examination on 15.3.2005.

Sd/-

(Hari Shankar Dubey)

Commissioner

14.3.2005

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Before : Commissioner, Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special
Duty, High Court, Lucknow Bench, Lucknow.

Dated 15.3.2005

D.W. 13/1-1, Mahant Dharmdass

(Commissioner appointed vide order dated 11.3.2005
passed by Hon'ble Full Bench in Other Original Suit No.
4/89)

(In continuation to dated 14.3.2005, cross-examination on
oath of D.W.-13/1-1, Mahant Dharmdass by Shri Ranjit Lal
Verma, advocate on behalf of Nirmohi Akhara plaintiff in
Other Original Suit No. 3/89, continued)

There is a "Akhara Parishad" of Sadhus at All India
Level. People from Saddarshan Sadhu Samaj are in
Akhara Parishad. Sect. Like Vaishnav, Shaiv, Udasi,
Nathpanthe Nirmal and Kabir comes under Saddarshan.
Chairman of Akhara Parishad is elected by Sadhu
Community of Saddarshan Sect. At present Mahant
Gyandass is a Chairman of All India Akhara Parishad, who
is a Mahant of Sagaria Patti. This is the highest post of
Sadhu Community throughout India. Mahant Gyandass,
within a year was elected a Chairman of Akhara Parishad
during Ujjain Kumbh. He was elected during Ujjain
Kumbh. Ujjain Kumbh was held in April (Chaitra-
Vaisakha) 2003.

Question: You, in your statement have just stated that
Sadhus of Vaishnav Community hold top
position in Saddarshan Sadhu Community.
Would you please tell if three Anneeies are
there under Vaishnav Community or not?

Answer: Yes.

Names of Annee are – Nirvani, Nirmohi and Digambar. There are seven Akharas under Shaiv (Shiwait) community called Juna, Ahwan, Atal Mahanirvani, Niranjani and Agoni. These are called Akharas of Sanyasees. Bhagwan Shankar is a adorable deity of Shaiv Sect. Volunteer : that they also follow Rama. Adorable deity of Shaiv Sect. are Bhagwan Shankar, Bhagwan Kapil Muni. Person from Mahanirvani Akhara follows Kapil Muni as their adorable deity. This I came to know because I have resided there in Akhara. I have been to all seven Akharas. I have, at para-1 of my Examination in chief affidavit stated that I am a Sri Mahant of Nirvani Annee Akhara. Sri Mahant of Panch Ramanandiya Nirvani Annee Akhara is elected by the Panch of Ramanandiya Akhara. They, after giving garland-sheet and striking bell, passed the concern proposal to other seven Akharas, which are under Nirvani Akhara. Seven Akharas of Nirvani Akhara are – Ramanandiya Nirvani Akhara, Khaki Akhara, Niravlambi Akhara, Balbhadri Akhara, Tatambri Akhara and Mahanirvani Akhara etc. I am not recollecting the name of seventh Akhara. I have no knowledge if Mahanirvani sub-Akhara is under Mahanirvani Ramnandiya Annee Akhara or not. It is correct to say that name of seven sub-Akharas of Nirvani Annee are as under:- Ramanandiya Khaki; Ramanandiya Nirvani; Ramanandiya Niravlambi; Ramanandiya Tatambri; Ramanandiya Balbhadri; Ramanandiya Harivyasi Nirvani; Ramanandiya Harivyasi Khaki.

There is a custom in all seven Sub-Akharas that only the Sadhus of Ramanandiya Nirvani are elected the Shri Mahant of Nirvani Annee. It is not correct to say that

Sadhus of rest six Sub-Akharas confirm the proposal. The fact is this that all the rest six Akharas confirm the proposal. Shri Mahant is elected by majority by all the seven Sub-Akharas through democratic system. Tenure of Shri Mahant of Nirvani Akhara is fixed, that from which date he will take over the charge and start working. It is not correct to say that his tenure is started from Ardh-Kumbh. Tenure begins from Maha-Kumbh. It is a custom. Kumbh fall after every three years and Maha-Kumbh after every twelve years. Volunteer : that invitations are issued to 18 Akharas of Vaishnav and are given alms and donation after food. Sant Sewak Dass was a Sadhu of Nirvani Akhara. He is not Shri Mahant of Nirvani Annee. He was already a Shri Mahant of Nirvani Annee. He was elected prior to 1980 but exact year is not known to me. He was elected, four-five years before 1980. I was there during the election. Sant Sewakdassji was elected during Ujjain Maha-Kumbh. He was a Mahant of Sagaria Patti Seat. His seat is situated, at a distance of 4-5 hands in the left side from steps of Hanumangarhi. I have no knowledge whether Sant Sewak Dass ji is alive or dead. It is not correct to say that Shri Mahant of Nirvani Annee Akhara is elected for the lifetime. But it is correct In writing his tenure is for 12 years but this period can be extended by Panch. Shri Mahant can be removed by Panch otherwise his post fall vacant due to his resignation or death. Sant Sewak Dass ji was elected Shri Mahant for 12 years. Tenure of Sant Sewak Dass was not extended beyond 12 years. I do not remember in which year the tenure of Sant Sewak Dass came to an end. Sant Sewak Dass ji has participated in five Maha-kumbh. Sant Sewak Dass remained Shri Mahant for four Maha-kumbh after his election in the earlier Kumbh. As such he remained Shri Mahant for 15 years. A Ardh-Kumbh falls within five Kumbh, is called Kumbh. At Prayagraj, Kumbh falling

after six years is called Ardhkumbh and kumbh falling after 12 years is called Mahakumbh. Ardhkumbh at Prayagraj will commence from 2007. Shiv Nandan Dass was elected a Mahant of Nirvani Annee, at a Kumbh 12 years ago from today. Shiv Nandan Dass was also from Ayodhaya, Hanumangarhi. He was from Basantia Patti. I was not present in his election. I came to know about his selection from the community. I do not know who told me about this. I have seen him working as Shri Mahant up to April 2003. Shiv Nandan Dass ji was not elected due to resignation of Sant Sewak Dass. Sant Sewak Dass was removed by the Panch. Thereafter Shiv Nandan dass was selected. As per custom, Panch have the right for the removal of Shri Mahant of Nirvani Annee.

Seat of Shiv Nandan Dass ji was at Mohalla Datoon Kund Ayodhaya. Seat I mean, he was living in Mohalla Datoonkund. At present he is living near Tikamgarh Distt. of Madhya Pradesh. I do not know where he is living. I have filed a suit in the Court of Civil Judge (C.D.), Faizabad against Shiv Nandan Dass about three months before. In that Suit, address of Shiv Nandan Dass was written as Ayodhaya, because by that time he had not sold his house. I have filed this suit, perhaps in November or December 2004. Shiv Nandan Dass sold his house in January-February 2005, after suit was filed. One Seth (wealthy merchant) has purchased this house but I do not know his name. Information about sale of house became available only after it was vacated and its possession was taken over by new landlord. Vacation of house and possession by new owner was happened before me. This has happened after Makar-Sankranti. It is not correct to say that Shiv Nandan Dass has sold his house situated at Datoonkund Mohalla one year before. Litigation filed against Shiv Nandan Dass by Sant Sewak Dass was going on in Allahabad Civil Court, Allahabad. But now all the

cases have since been disposed off. I do not know if litigation in between Sant Sewak Dass and Shiv Nandan Dass is still pending or not. Sant Sewak Dass has not been seen for sometime. It is not know if he is alive or not. I have no knowledge if the suit at Allahabad is pending because Sant Sewak Dass' whereabouts is not known to me.

Avdesh Dass ji Maharaj, Sarpanch of Panch nirvani Ramanandiya Akhara has proposed my name for Shri Mahant. It is correct that Nirvani Annee has a Sarpanch of executive body of Akhara. Avdhesh Dass ji is not a Sarpanch for three to four months. At present Baba Bachaidass ji Maharaj is a Sarpanch. He was elected 3-4 months before. I was present at the time of election and I have also signed there. Time and Osara for electing Sarpanch of executive body is fixed. Its tenure is for the period of three years or five years. It keeps changing in four patties. After proposing my name by Avdhesh Dass ji, Sarpanch, the proposal was supported by sitting Mahant Ramesh Dass ji and Santram Dass ji, Mahant Gyandass ji Sagaria patti. Mahant Ramcharandass ji, Basantia patti and Murlidass ji, Haridwari patti by filing statement. People from other Sub-Akharas have also supported me. Among them, Khaki, Niravlambi, Tatambri Akharas people were there. All the seven Akharas mentioned above by me have supported me in writing. People from Sub-Akharas have supported me by putting their signature on separate sheets. All the seven Akharas have not passed separate-separate proposal but they have given in writing on their letterhead pad in my support. They have attached a acknowledgement alongwith their support. Jagannathdass of Ramanandiya Khaki Up-Akhara has given his support to me in writing on his letterhead pad.

On that letterhead pad, there was a signature of Jagannathdass ji only, who is Sri Mahant of Kakhi Akhara.

Sri Mahant of Ramanandiay Niravalambi Akhara had expressed his support to me in writing on the letter head pad but I am not recollecting his name at present. Mahant Hanri Shankar Dass of Harivyasi Nirvani Up-Akhara has expressed his support to me in writing on the letter-head pad. Srimahant of Harivyasi Up-Akgara, whose name I am not recollecting has given his support to me . Similarly, Mahants of Tatambari and Balbhadi have also supported me, but I am not recollecting their names. This support was given in writing over the letter-head pad, which are with me. This written support was given to me at Ujjain Kumbh. In my support statement on an oath was also submitted during Ujjain Kumbh. Statement on Oath and supporting letterhead pad were not received in one day but during different dates. Volunteer : that registration of statement on an oath was done on one day and supports on letterhead pad were received on different dates. Statement on an oath was received first and letterhead pad later on. Letterhead pads were received one month after statement on oath. Letterhead pads were not received through Post. I myself went to all Sub-Akharas in May 2004 to collect the letter head pad in my support and collected the support written on letter head pad. Sitting Mahant of Ayodhaya, Ramesh Dass ji lives in Garhi and according to tradition he cannot go outside. He cannot go to Faizabad Court. His statement on an oath was recorded in Hanumangarhi and not in Faizabad Court and concerned persons were called in Hanumangarhi. Ramesh Dass proposal to appoint me as a Mahant of Annee was written in the register. This proposal was written in Hanumangarhi Fort of Ayodhaya.

This proposal was written in April 2004. The date of writing the proposal is not remember to me. Copy of porposal is not given to anyone. As such copy of proposal was not given to me. Volunteer : that the copy of the proposal was made in the Registry Office. Registry is not done in the Court but was done in Registry Office. Copy of a proposal, which is written word by word, is done only in Registry Office. Original Register does not contain the signature of the person to be elected a Mahant. There were signatures of about 500 persons in the Original Register. Entire population of Akharas, numbering about 200 has signed it. In how many pages these signatures were running, I do not remember. I have just stated above "Copy of the proposal was made in the Registry Office". It is correct. Copy of the proposal, word but word is not sent to Registry Office. Copy is sent as per the requirement of the Court. Representative of each patti goes to Registry Office to Sign. Volunteer : that representatives of Akharas put their signature in the Registry Office as a representative. Signature of sitting Mahant Ramesh Dass is not on this document. I am a Sadhu of Ujjainia Patti. I have never been expelled from this patti. I do not recollect if I had filed a counter statement on behalf of Avadhram Dass in the suit in regard to Jamwant Fort of Ujjainia patti or not. I have not filed any claim against Ujjainia patti in any suit concerning to Santosh Dass involving a field of Manjha. It is not correct to say that I have been expelled from Ujjainia patti, vide the resolution passed under the Chairmanship of Sant Ram Dass on 27th July 2002. It is also not correct that the said proposal was then sent to Ramesh Dass, sitting Mahant. It is not correct to say that I am not a Sadhu of Hanumangarhi and I have been expelled from Ujjainia patti. It is also not correct that what I have stated in para-1 of my

Examination in chief affidavit that I am a Srimahant of Panch Nirvani Akhara is wrong. It is not correct that I have filed a false suit against Shiv nandan Dass in connection with Nirvani Akhara and my mahantship is disputed one. Statement of Abhiramdass, in this Suit in which I am deposing, was recorded in the Court of District Judge, Faizabad.

(On this issue, Learned advocate cross-examining has filed a certified copy of statement of Abhiramdass pupil of Sarju Dass. This statement is attached with document No. 265 C-1, in the Original Suit No. 12/61, Sunni Central Waqf Board V/s Gopal Singh Visharad. This paper was taken on record and it was marked as a document No. 265 C-1 and document was marked as document No. 266 C-1/1 to 266 C1/3)

Learned advocate cross-examining drew the attention of witness towards para mentioned at Sl. No.2 page 2 of above documents filed today. The Kathamandap is the same, which I referred as Shri Abhiramdass Kathamandap in my statement. The remark "It is a general" written at page- 2 is correct. I do not know if Abhiramdassji has filed a suit, in respect of Hanumath Sanskrit College, Hanumangarhi. I also do not know whether he was removed from the post of Manager. He himself retired at an appropriate time. The statement given by Abhiramdass in the para of Sl. No. 3 at page No. 2 is correct that he was a Pujari during the time of Baba Priya Dutt Ram.

I have no knowledge about Madan Mohan Dubey mentioned at para 3 in page 2 of above document. I have heard that a case is subjudice in the Court of Faizabad to remove the Receiver Shri K.K.Ram Verma. I do not know

what was final decision in the case. Volunteer : that as per my knowledge, Madan Mohan Dubey has not worked as a Receiver of disputed Bhawan.

I have no knowledge about Madan Mohan Dubey. I have no knowledge about the case filed by Ram Lakhan Saran in Hon'ble Supreme Court, due to which proceeding in the case in Civil Court has to kept in abeyance. Learned advocate cross-examining drew the attention of witness towards document No. 40-A-1/1 to 40 A-1/23 of Other Original Suit No.4/89. Witness said that his signatures are there at the bottom of every page. This document has been typed in English. I have signed the document No.40-A1/1 to 40 A-1/23 after perceiving the material written thereon. I have the knowledge about counter statement documents. What I have stated to my Advocate and what he has written on the above documents is correct. I came to know about the material written in the documents, on 2nd Dec.1989. At the time, when I filed counter statement in the Court, my lawyer was someone else and lawyer of Ramchander Paramhans was different. I am not recollecting the name of my lawyer at present. I am not recollecting the name of Ramchander Paramhans' lawyer. Learned advocate cross-examining drew the attention towards last four lines of Para 13 of document No.40-A-1/7 of Other Original Suit No.4/89, upon which witness said that the Suit, Ram Lakhan Saran V/s Sunni Central Waqf Board referred therein is correct. This is same Ram Lakhan Saran, which was referred in the pamphlet brought out by Shri Abhiramdass. To whom I call Bhagat Ram Lakhan Saran. Ram Lakhan Saran is from Bihar. I have heard that he came to Ayodhya after 1949. It is not correct to say that "Shri Abhiram Dass Kathamandap" is managed by RamJanambhoomi Sewa Samiti. Volunteer : that Sewa Samiti was constituted by

Shri Abhiramdass. I have no knowledge if Birla Religious Trust Sewa Sangh used to send money to Sewa Samiti or not. I have no knowledge if Gopal Singh Visharad receives the money or not. It is not correct to say that Ram Lakhan Saran Bhagat used to run Akhand Kirtan in Manas Bhawan at the outer part of disputed premises. I knew Ram Lakhan Saran Bhagat very well and associated with him. I have no knowledge if he was in dispute with Akhara or not. Similarly I have no knowledge if he was called cunning, deceiver and one who cheat in the name Kirtan or not. Volunteer : that in his view he was good person and devotee of Rama. I have no knowledge about any criminal litigation was ever subjudice against him. I have no knowledge about his affairs with women.

(At this subject, Learned advocate cross-examining vide list document No. 267-C-1, filed a copy of order of Judicial Officer, Sitapur, which was marked as document No. 268 C-1/1 to 268 C-1/11 and was taken on record).

Question: Do you know that Ram Lakhan Saran Bhagat has filed a suit against the Vedanti of Raja Ram Chandracharya Panch of Nirmohi Akhara in 1960?

Answer: I have no knowledge in this regard.

Question: Do you know that Abhiramdass has circulated a printed pamphlet concerning to Kirtan in 1959 and Red pamphlet was circulated by Baldev Dass? Have you come to know about it?

Answer: I had the knowledge of pamphlet printed by Shri Abhiram Dass but had no knowledge about Red pamphlet printed by Baldev Dass.

I have seen the pamphlet printed by Abhiramdass, at the time when I was giving statement yesterday and never before. I do not remember when for the first time I saw this pamphlet. I saw this in 1982-83. I saw this pamphlet in my file at Ashram. I had no words about this pamphlet with Guruji i.e. Shri Abhiramdass ji.

Learned advocate cross-examining drew the attention of witness towards document No. 18-A-2/30, "enclosure B" of Other Original Suit No. 3/89. Witness on seeing it said I have filed a document No. 18-A-2/30 along with the Affidavit. I have read this document at the time when I filed it. I have enquired about the disputed property of this suit. At present I am not recollecting what disputed property was involved in the suit. I can only say after reading the enclosure B, what was written in it. Every page of this book has my signature.

Learned advocate cross-examining asked the witness to reply after reading the enclosure-B, about the disputed property referred in this document. Witness after reading the document said I would not be able to tell what was the disputed property of this suit? It becomes clear from seeing document No. 18-A-2/30 that litigation was initiated in 1975, in between Ram Kewal Dass and Siya Raghav Saran. In this suit the then address of Siya Raghav Saran was written as – Janambhoomi Mandir, Ayodhya City, Faizabad, which is correct. In this suit, Panchayat Nirmohi Akhara as a defendant No.-2 was written as Sarpanch Panchayat and Mahant Ram Roop Dass.

Learned advocate cross-examining drew the attention of witness towards document No. 39 C-1/37 of Other Original Suit 3/89. Witness after seeing the

document said I never saw this pamphlet before. I am seeing it to today for the first time. This pamphlet was referred in the pamphlet of my Guru Abhiram Dass. Learned advocate cross-examining drew the attention of witness towards document No. 39 C-1/38 of the Suit. Witness said I do not recognize any signature appended in this document. Learned advocate cross-examining drew the attention of witness specifically towards the signature of Paramhans Ramchander Dass, appended in document No. 39 C-1/39. Witness said this is not a signature of Paramhans Ramchander Dass. I cannot recognized the signatures appended in document No. 39 C-1/39. Raja Ramchandracharya is written in document No. 39 C-1/38. Name of Ramchandracharya is printed at Sl. No. 24 of Red pamphlet. This document contains the retribution of immoral acts.

Volunteer : whatever is written therein is false and these people are habitual of alleging false allegation. I am saying this because Ram Lakhan Saran used to organise Kirtan at the time when I was recruited.

Verified the statement after hearing.

Sd/-

Mahant Dharmdass

15.3.2005

Typed by the stenographer, in the open court as dictated by me . In continuation to this, the suit may be fixed for further cross-examination on 16.3.2005.

Sd/-

(Hari Shankar Dubey)

Commissioner

15.3.2005

Before : Commissioner, Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special
Duty, High Court, Lucknow Bench, Lucknow.

Dated 16.3.2005

D.W. 13/1-1, Mahant Dharmdass

(Commissioner appointed vide order dated 11.3.2005
passed by Hon'ble Full Bench in Other Original Suit No.
4/89)

(In continuation to dated 15.3.2005, Cross-Examination on
an oath, of D.W.-13/1-1, Mahant Dharmdass, by Shri
Ranjeet Lal Verma, advocate on behalf of plaintiff of Other
Original Suir No. 3/89 Nirmohi Akhara, continued)

I have been seeing Ram Lakhan Saran Bhagat since
I came to Ayodhya and up to his death. I have seen him
reading-writing and signing. I have seen him only signing.
Witness after seeing document No. 17 A-2/1 to 17 A-2/14
of Other Original Suit No. 3/89 said, only Ram Kewal
Dass' signature has been appended in it. I do not
remember if Ram Kewal Dass has replied to my affidavit or
not. I do not remember what reply I had given to the reply
to affidavit of Ramkewal Dass. Attention of witness was
drawn towards document No. 17 A-2/24. Witness said that
I could not recognize the signature of Ram Lakhan Saran
appended in the photocopy.

I have heard the name of Ram Lakhan Dass Golki
but had not seen him. I have heard his name from
Mahatmas and my Guru. I have no knowledge if Ram
Lakhan Dass Golki supervise the management of outer
part of disputed premises where Ram Chabutra and
Chhattee Pujan Sthal are located. I had word with my
Guru about Ram Lakhan Dass Golki. My Guru had not
told me that Ram Lakhan Dass Golki was a manager of
outer-part. But Ram Lakhan Dass, on the instruction of
my Guru, used to manage the outer-part. Then said Ram
Lakhan Dass Golki do not used to supervise the outer-

part. I have no knowledge whether Ram Lakhan Dass Golki was from Nirmohi Akhara or not. Panch Ramanandiya Nirmohi Akhara has filed a suit in the Court of Civil Judge, Faizabad against K.K.Verma, Siya Raghav Saran and me in 1982. Volunteer : these people are in the habit of filing litigation. It is the habit of the Learned advocate cross-examining to file such type of suits . He provoke other to file such suits. He get such suits filed against Ram Lakhan, Saran Bhagat, Siya Raghav Saran. Besides, he gets a number of suits filed. This suit is among the one, in which I am deposing. This suit was filed on behalf of Nirmohi Akhara. But who filed the suit on behalf of Nirmohi Akhara, I can say this only after seeing the papers.

Question: Have you ever know who have filed the suit on behalf of Nirmohi Akhara, in the above suit Nirmohi Akhara V/s K.K.Ram Vrma, filed by Nirmohi Akhara, in which you were also a party as accepted by you in the statement given by you?

Answer: I can say in this regard only after seeing the documents.

I have filed peace agreement in this suit. This agreement was filed in between Siya Raghav Saran and me. I can say only after seeing the document if any other person was a party of that peace agreement or not. In addition to Siya Raghav Saran, Ram Kewal Dass who was alive at that time was also party to peace agreement. He has signed the peace agreement. Two peace agreements were filed. Peace agreements were filed in the court of City Magistrate. In addition to this peace agreement was also filed in the Court of Additional Civil Judge. I had appointed my own advocate in the above suit. Whether I have filed claim or not, this, I can say only after seeing the

documents. Shri Narain Dass Khatri was my Advocate in the said suit.

Learned advocate cross-examining drew the attention of witness towards document No.-25-A-2/21 to 25-A-2/25 of Other Original Suit No. 3/89. Witness after seeing it said it is a copy of claim file by me.

I know about Vishwa Hindu Parishad since 1986. I have no knowledge whether Vishwa Hindu Parishad was in existence in 1962, when I came to Ayodhya. I came to know about the organization in 1985-86 for the first time. About this organization, I came to know during a meeting of the organization held in Manas Bhawan.

This meeting was convened under the Chairmanship of Jagadguru Shri Ramacharya. I never had been a member of this organization. I was also not a member of any organization affiliated to Vishwa Hindu Parishad. I was member of RamJanambhoomi Trust only. I have no knowledge whether a member of Trust or special invitee member was appointed by the Advisory body of Vishwa Hindu Parishad or not. Jagadguru Shivracharya appointed me as a member of RamJanambhoomi Trust. He appointed me as a member in 1986. I know that suit filed by Devki Nandan Aggarwal is subjudice in the Court. I have studied the suit a little. The suit is in English and I cannot understand English, so I could not grasp it fully. My Gurubhai Ram Vilas Dass Vedanti is a member of RamJanambhoomi Trust. I have no knowledge if Advisory body of Vishwa Hindu Parishad, appoints all the four trustee or not. I have filed a counter-claim in the suit. Then said I do not know whether I have filed a counter claim in the suit filed by Shri Devki Nandan Aggarwal or not. I know Devki Nandan Aggarwal. Volunteer : I used to see him there. Besides, I also used to see him in Ayodhya. I went to his residence at Allahabad to discuss

the matter about the suit concerning to me. I went to him at Allahabad to discuss the suit filed by Sunni Central Board of Waqf. I do not remember when I went at his residence at Allahabad for the first time. I went at his residence 16-17 years ago from today.

Devki Nandan Aggarwal had been retired, when I visited Devki Nandan Aggarwal at his residence at Allahabad, 16-17 years ago. I have no knowledge whether he was Vice-President of Vishwa Hindu Parishad at the time when I went to see him at Allahabad. I have produced Shri Devki Nandan Aggarwal as a witness in the suit, panch Ramanandiya Nirmohi akhara V/s K.K.Ram Verma and Others, in which I was a party. I have addressed a summon to him but in this I have not addressed him as a Vice-President of Vishwa Hindu Parishad. Again said I am not recollecting anything in this regard.

I have no knowledge if Aurangzeb had demolished any temple situated at Ramchabutra Mandir or not. I am not recollecting, on what basis I have written about the demolition of a temple at Ramchabutra by Aurangzeb in Para 5 of counter claim No. 40 A-1/1 to 40 A-1/23 of Other Original Suit No. 4/89. In Para 15 of this counter claim I have written that suit No. 2/50 was filed by Shri Gopal Singh Visharad in his individual capacity. In Para 16 of the counter claim I have said that Paramhans Ramchander Dass also filed the suit in his individual capacity but he has filed this suit after serving a notice under Section-80 of Civil Procedure Code. In Para 17 of counter claim I have stated about the suit of Nirmohi Akahara.

Learned advocate cross-examining drew the attention of witness towards document No. 18 A-2/1 to 18 A-2/24 of Other Original Suit No. 3/89. I have, in Para –

9A of an affidavit stated that suit of Nirmohi Akhara was filed by Raghunath Dass pupil of Mahant Dharmdass, first and it has also stated that after Raghunath Dass, he was replaced by Mahant Prem Dass pupil of Mahant Goverdhan Dass vide order dated 8.7.1967. After Prem Dass, Mahant Raghunath Dass Pupil of Dharamdass replaced by the order of court dated 8.7.1967. I was at Ayodhya in July 1966. I have no information if there was fight in between the groups of Mahant Prem Dass and Ram Lakhan Dass Golki, with bow-arrow, Sword, Short sword-spear. I am not aware whether that site was attached or not, after the dispute in between Prem Dass and Ram Lakhan Dass Golki and a receiver was appointed or not. Whether a suit was processed in the Court of City Magistrate or not. I have no knowledge if City Magistrate has referred the case to Munsif Court and witnesses were recorded. I have no knowledge whether this suit was disposed off by the Munsif City Court. Volunteer ; that I could not get the information about the facts related to the dispute in between Prem Dass and Ram Lakhan Dass Golki from the suits filed in the Court in regard to the disputed site. I have heard about the dispute. I have heard from my Guru and other Sadhus in this regard. I have, in Para 40 of counter claim document 40A-1/20 and 40A-1/21 expressed my desire to replace the three-dome building with a new building.

Learned advocate cross-examining drew the attention of witness towards, Para-6 of document No. 16-A-2/5 of Other Original Suit No. 3/89. Witness said that Mukti Movement for unlocking RamJanambhoomi launched by Vishwa Hindu Parishad was referred in this Para. In my view Vishwa Hindu Parishad is a good organization. I have also filed a suit against it. This suit is going on in the Court of District Judge, Faizabad. I have referred in

that suit that financial irregularities were committed by Vishwa Hindu Parishad. 2nd April 2005 has been fixed for hearing in to this case. In this suit, Nirmohi Akhara has not been made a party.

Learned advocate cross-examining drew the attention of witness towards document No. 111-C-1 of Other Original Suit No. 5/89, which is "Shri RamJanambhoomi Trust Organisation and income and expenditure statement" booklet. Witness said, I have not seen the book. On the suggestion made by learned advocate cross-examining, witness after seeing the booklet said, it is related to Trust. In the last of this booklet, name of Vishnuhari Dalmiya, President, Shri Paramhans Ramchander Dass, Acting-President and Ashok Singhal, Manager, Trust was written. I knew all the three persons.

Learned advocate cross-examining drew the attention of witness towards page-3 of the booklet. At this page, name of Devki Nandan Aggarwal, among the trustee, is figuring at Sl. No. 6. It was written at page-4 of the booklet "Panch of Hanumangarhi----- were appointed by Siya Raghav Saranji". The fact written in this is not correct that Shri Dhram Dass was appointed by Siya Raghav Saran, as a legal successor. Instead of it, peace-agreement was signed in between Siya Raghav Saran and me. As per said peace agreement, Siya Raghav Saran has recognized me as a owner of Ram Chabutra.

Question: I am to say, "Panch of Shri Hanumangarhi, pupil of Respected Shri Abhiramdass ji and Sidh wrestler of Ayodhaya Shri Dharmdass ji was appointed as a legal heir of Shri Ram Chabutra

situated at Shri RamJanambhoomi Mandir.”
Whether, according to you, this portion of the
book is correct or incorrect?

(Upon this question Learned Advocate Shri Ajay Kumar Pandey on behalf of Other Original Suit No. 5/89 has raised an objection that time of Court is being wasted by asking the same question again and again and witness being harassed mentally. Hence, permission for asking such question cannot be granted).

(Upon this objection, Learned advocate cross-examining has raised a counter objection that witness is party to suit No. 4/89 and 5/89. He has not done cross-examination from any witness of plaintiff. Hence Advocate Shri Ajay Kumar Pandey, appointed by plaintiff Devki Nandan Aggarwal had no knowledge in this regard. Besides, witness is himself repeating the questions and trying to avoid to answer the original question. The above question was asked for along with the details so this question is not being asked again).

Answer: Siya Raghav Saran ji was appointed a Pujari of Chabutra by my Guru Abhiram Dass. The truce happened in between us, in the suit, under Section-145 of Criminal Procedure Code and on the basis of this, the above portion was written, that Siya Raghav Saran has appointed me. The matter written at page 4 next to above part that “Shri Siya Raghav Saran has won the dispute with Nirmohi Akhara”, is correct. Siya Raghav Saran was fighting a lawsuit with Ramkewal Dass of Nirmohi Akhara. I am not recollecting at present in which Court the Lawsuit, which was won by Siya Raghav Saran, was. I also do

not know in which year he won the litigation. Siya Raghav Saran had won the litigation from Nirmohi Akhara prior to peace agreement signed in between Siya Raghav Saran and me. Again said that Shri Raghav Saran ji had won the suit from Ramkewal Dass. I have no information whether Nirmohi Akhara was a party or not. I have not read the suit, which was won by Siya Raghav Saran. Siya Raghav Saran used to come to me and he himself told me that he has won the suit. Up to the date when peace agreement was signed, my relation with Siya Raghav Saran was cordial for some time and not good for some time. My relations with Siya Raghav Saran were derailed because he was not keeping appropriate record of accounts after the demise of my Guru. At that time I had become a Mahant. I have not issued any notice to Siya Raghav Saran in this regard. I have told him about this vocally. There was no written agreement in between Siya Raghav Saran and Baba Abhiramdass in regard to the arrangement of RamJanambhoomi. I am not recollecting whether I have objected over the application for transfer of property filed by Siya Raghav Saran in revenue Deptt. I have no knowledge if Shivramacharya was annoyed with Vishwa Hindu Parishad and separated himself from Vishwa Hindu Parishad. Volunteer : that Shivramacharya was never been a member of Vishwa Hindu Parishad.

Learned advocate cross-examining drew the attention of witness towards document No. 25-A-2/26 enclosure-3 of Other Original Suit No. 3/89. Witness after

reading the newspaper said I had never read this news nor I did not get the copy of this in this suit. It is not correct to say that I have not filed any suit against Vishwa Hindu Parishad, wherein it was alleged that they have embezzled crores of Rupees and brick of Gold. I have not filed the suit against Vishwa Hindu Parishad. I have filed a suit against the Trust for financial irregularities.

Learned advocate cross-examining has again drawn the attention of witness towards page No. 7 of document No. 111 C-1 of Other Original Suit No. 5/89. At this page, Rupees One Lakh twenty thousand beside this three thousand Rupee ninty paise was also written in legal expendicture account and at the bottom, forty two thousand and one hundred thirty eight and three paisa written in the account of income over expenditure was written against the head Sahyogarth Khata (Co-operation Account). It is not correct to say that I get the share from the expenditure incurred and when share stopped, I filed litigation against RamJanambhoomi Trust. Suit was filed in regard to Ram Chabutra under Section 395, IPC. In that suit I was acquitted by Session Court. I got the bail after the suit was registered. In which year I got the bail, I do not remember.

(At this point Learned advocate cross-examining has filed document No. 270 C-1/1 to 270 C-1/6 from list document No. 269 C-1. These were taken on record). 22 years have been passed away since the bail was granted. I do not remember from which Court I got the bail. Then said, the bail was granted by Session Court. I have not been in jail even for a single day. In this case, Ram Lakhan Saran, Rambalak pupil Ram Lakhan Saran was the accused. Besides these three named persons, suit was filed against ten-twenty people and it was stated therein

that they have been identified. It is not correct to say that I was paraded in identification proceeding in jail. It is not correct that I had been in jail for two months but it is correct that Session Court has rejected my bail application. After rejection of bail application I was detained in jail. I got the bail from High Court. I might have got the bail two months after detention. Siya Raghav Saran has made false allegation against me that I have stolen the documents of Siya Raghav Saran and looted Rupees twenties lakhs. Volunteer : that suit was false and did not stand before the Law. It is not correct to say that Senior Superintendent of Police had raided my house during the night after that complaint. It is also not correct to say that paper alleged to be looted were recovered from a well behind Hanumangarhi. It is correct that this suit was processed in the Court of Session Judge. This suit was found false and hence dismissed in the year 1986-87.

I am not recollecting the month and season during which the suit was dismissed. Ram Lakhan Saran was no more at the time of adjudication, but Rambalak was with me. Gopal Dass was also with use. Gopal Dass is from Hanumangarhi. Besides anyone was there or not, I do not remember. Gopaldass was from Sagaria patti but whose pupil he was, I do not remember. It is not correct to say that the above session suit was going on in 1990. I do not remembered whose statement was recorded when trial of session suit was started. It is not correct to say that Siya Raghav Saran has entered in agreement with me in connection with the suit of dacoity. I do not remember whether statement of Siya Raghav Saran was recorded or not in this session suit.

I am called a Pahalwan. I do not get any stipend from Hanuman Akhara. I used to live in the Akhara of

Badri Kalifha. I lived there on Badri Kalifha Akhara in 1975. I lived there for eight to ten years. I have been to Bombay. In Bombay neither Criminal suit was filed against me nor I was convicted. It is correct that my Guru Abhiramdass arrested under MISA and lodged in Barabanki jail in 1975 during the emergency. It is not correct to say that I came to Ayodhya after Abhiramdass ji was arrested. The fact is this that I came to Ayodhya before this incident. It is correct that Abhiramdass was transferred to "B Class" jail in Faizabad. Learned advocate cross-examining drew the attention of witness towards document No. 17-A-2/1 to document No.17-A-2/14, of Other Original Suit No. 3/89 and was asked for by showing enclosure 17-A-2/15 was the F.I.R. registered on the order of District Magistrate. Witness said, I do not understand what is written in this document. I have not got a copy of this document from the Court. I am not recollecting whether I have replied the same affidavit 17-A-2 and it enclosure in my affidavit or not.

Verified the statement after reading.

Sd/-

Mahant Dharamdass

16.3.2005

Typed by the stenographer, in the open court as dictated by me

In continuation to this, the suit may be fixed for further cross-examination on 17.3.2005. Witness to be present.

Sd/-

(Hari Shankar Dubey)

Commissioner

16.3.2005

Before : Commissioner, Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special
Duty, Hon'ble High Court of Judicature,
Lucknow Bench, Lucknow.

Dated 17.3.2005

D.W. 13/1-1, Mahant Dharmdass

(Commissioner appointed vide order dated 11.3.2005
passed by Hon'ble Full Bench in Other Original Suit No.
4/89)

In continuation to dated 16.3.2005, Cross-Examination on
oath of D.W.-13/1-1, Mahant Dharmdass by Shri Tarunjeet
Verma, Advocate on behalf of plaintiff Nirmohi Akhara of
Other Original Suit No. 3/89, continued)

A pot was engraved, at the bottom of the 14 pillars of
Kasouti in the disputed premises. Samundra-Manthan has
been referred in history and Purans. On the basis of this,
Kumbh also made. A pitcher having nectar inside was
emerged during Samundra-Manthan. A battle was fought
in between deities and demons for this pitcher. Garur
(Aquila) is the vehicle of Lord Vishnu. I have no
knowledge whether Garur had taken the nectar pitcher,
emerged as a result of Samundra-Manthan, to any place
or not. This nectar-pitcher was taken to four places, as a
result of which Kumbh festival is celebrated at these four
places, namely – Prayagraj, Haridwar, Ujjain and Nasik.
Mahakumbh falls after every 12 years at these four
places.

Knowledge in this regard is gained at these
occasions. Volunteer : it becomes known from this that
in which Nakshtra and in which Ghari earlier Kumbh had

fallen at a particular place. Ardh Kumbh is not organized at all four places. Ardh Kumbh falls only at two places, i.e., at Prayagraj and Haridwar. Kumbh falls at all four places. It does not fall every year. Vairagies, Sanyasies, Udasies and people of all sects from all over India and abroad i.e., from all over the world comes to Kumbh Mela (festival).

Disputed site have not hillocks all around; these hillocks are at eastern and southern direction, Sugreev hillock is in the eastern side and Angad hillock is at south direction. Kuber hillock is at west and south corner. There is no Jamwant hillock; it is a Fort. "Matgajendra" is a name of a place. It is not hillock or Fort "Vibhishan Kund" is a Kund (reservoir) and not a hillock. Nal-Neel hillock is in the east and south direction of the disputed premises. Angad hillock falls under Hanumangarhi in Ujjainia Patti. Nal-Neel hillock fall within acquired land. Before acquirement, Nal-Neel hillock was under Hanumangarhi. This is under the Haridwari patti of Hanumangarhi. One Mahatma lived at Sugreev hillock. Sugreev hillock is not under Hanumangarhi. Shankarji is sitting at Kuber hillock. No Mahatma lived there. General public of Ayodhaya goes there on Magh-Chaturdashi for darshan. Barat (Wedding party) is taken out on the day of Holi. Towards west of this hillock, there is Dhanakshya Kund. This place exists even to day. It is said that King Harish Chandra had donated his entire kingdom to Mahatma Vishwamitra in a dream and Vishwamitra, for the protection of that property, by constructing Dhankshya Kund, instituted the guard there. Thereafter King Harish Chandra did not come back to Ayodhaya. He went for asceticism in the forest. At present the condition of this place is normal. This place is behind the mosque. Volunteer at Dhankshya Kund, there is board of its name.

Among the 108 stones fixed in Ayodhya, one stone is fixed at Dhankshya Kund.

I have, in Para-21 of my examination in chief affidavit mentioned the disturbances of 1934. Bari Buwa Ka Sthan situated in the outer part of Panchkosi Parikarma Marg of Ayodhya is adjacent to village Shahjahanpur. Cow were slaughter there. I have heard about this incident from so many persons and also from my Guru. My Guru was in Ayodhya at the time of 1934 riots. I have no knowledge if my Guru was accused in this connection or not. My Guru had not told me if he was accused for 1934 riots or not. I have heard that a Mahant Ramcharan Dass ji, was an accused for 1934 riots. He used to go by horse. My Guru told me that he was a Mahant of Hanumangarhi. He used to drive off the Englishmen by uniting Hindu and Muslims, before or even after the riots of 1934. Britishers had not tolerated this and Baba Ramcharan Dass and a Faquir, who was a leader of Ayodhya, were hanged at a tree of tamarind. I have heard in this regard from Baba Abhiramdass and others. The name of Faquir was Fazal. I do not know his full name. It is not correct to say that Ram Charan Dass was affiliated with Nirmohi Akhara.

I know about the attachment of disputed Bhawan in 1949. Volunteer : that after this attachment this building was declared a disputed Bhawan. Worship continued therein before or after the attachment. Worship has been goint on in the disputed structure since 1934. Worship was been going on thee since the birth of Ramchanderji. There was an idol in the disputed Bhawan but which an idol it was, I cannot say. My Guru Maharaj was a Pujari there. He used to worship the God. Cot and other belongings of my Guru were kept in a dome. Cot and other belongings of my Guru were kept in western or

southern dome. There was an idol of God in the dome when it was attached in 1949. There were two idols. One an idol was there before and one was emerged in the presence of my Guru. My Guru used to say that an idol of Chakar-dhari Vishnu was appeared first. He used to say that he got stunned by seeing an idol of Chaturbhuj (having four arms). My Guru was conscious during this period but could not move. On getting sense he saw an idol there. This was an idol of a childhood of God. Chakardhari, I mean, Lord Vishnu with four arms. One an idol was there in the disputed Bhawan before 1949, who was worshiped by my Guru. Vighrah was of Saligram God and Ramlalla. Besides an idol of God of his childhood another idols were also there. My Guru has told me in this connection. There were six idols of God Saligram. One little idol was of Ramlalla. There was a photo and an idol of Hanumanji in every room. My Guru died on 3rd December 1981. I have seen the idols closely. An idol of Hanumanji was of stone. There were idols at Ram Chabutra also. There were idols of Kaushaliya ji, Saligram, Ram-Lakshman-Satrughan, Hanumanji, Garurji, Jagannath Bhagwan and others at Ram Chabutra. Pujari knows about it. These idols, except an idol of Saligram and Jagannath Bhagwan(God) were made of eight metals (Asthdhatu). Volunteer : that there was an idol of Gomati Chakra. Without Gomati Chakra, bath is not made to God Saligrama. Gomati Chakra is like a Shankh and it emerges from sea. Material recovered during the attachment in 1949, was taken by Police in their custody. This includes idols of God Ramlalla (small and big), Lord Saligram; Gomati Chakra, Hanumanji and his ornaments, bell and prashad of Pujan etc.

According to the knowledge I have, Shiv Darbar was there since long time. After the birth of Lord Rama, Lord

Shankar came there for his darshan and set there with Kagbhusundi. From that time this place is being regarded as holy one. In this regard, there is a mention in Kavitawali written by Tulsidass. I have a great faith over this place. Followers of Hindu religion also have deep faith in it. Volunteer : that the entire human community; including Muslims have faith in it. I also have faith in Chattee Pujan Site. It is also there since long. Description in this regard is found in Kavitawali.

Central Government had, in October 1991, acquired the land around disputed premises. About 2.77 acre land was acquired by the State Government. Sumitra Bhawan, Baba Abhiramdass Kathamandap, entire part of Sankatmochan Hanuman temple are covered under the acquired land. In addition to these, other temples were also covered. Acquisition was done during the Chief Ministership of Kalyan Singh. At that time Bhartiya Janta Party was ruling the State. I have the knowledge for what the acquisition was done. Foundation laying ceremony was held during the time when Congress was in power in the State under the Chief Ministership of Shri Narain Dutt Tiwari and Rajiv Gandhi as a Prime Minister. At this place, main gate was to be constructed. This place is in the north of Abhiramdass Kathamandap. Ram Mandir is proposed at this place. This was the reason behind the acquisition. I have not objected the acquisition. Thereafter Central Government has also acquired the land during the time when Vishwanath Pratap Singh was a Prime Minister. Once he acquired the entire disputed premises but later it was withdrawn. Again during the period of Narsimha Rao, as a Prime Minister, it was again acquired. But in which year it was acquired during the Narsimha Rao, I do not remember. It is correct that it happened in the year 1993. I have not objected the

acquisition but Nirmohi Akhara and Sunni Central Board has objected it. 67-acre land was acquired.

This acquisition was carried out with the purpose, if RamJanambhoomi Mandir is constructed, it should be a historic Temple. Two-acre land was not sufficient. That is why 67-acre land was acquired. In this acquisition, 13 large famous temples were also covered. I have heard that Rammandir will be constructed. Besides, I got the information in this regard from Doordarshan and newspapers. In this connection, I demanded from the Central Government that the issue should be resolved as it is a National Affairs, so that Hindus and Muslims live with brotherhood and tranquility and there would be no isolation on the basis of Religion. I have written, in this regard, to the President and also met him. It is not correct to say that I have no full knowledge about this acquisition. It is for the Govt. as to what type of construction it wants there. After coming to Ayodhya in 1962, I have been touring all over India, because I am a Mahant of all India. This means I have the branches of my seat all over the country.

Shri Ram Nareshacharya ji is a Mahant of Shri Math, in Varanasi. Before him Shivramacharya was a Mahant. Haryacharya is a Jagadguru of Gopal Mandir Peeth, Ayodhaya. Gopal Math is affiliated to Hanumangarhj.

Sankat Mochan Mandir is in close proximity to the border of Faizabad and Ayodhaya. I treat this place within Ayodhaya because all the places, which falls under the Chaudah Kosi Parikarma also, comes under Ayodhaya.

The place, where Sankat Mochan Hanumanji Mandir is located has been connected with my patti with the

tradition. A Suit in respect with the Sankat Mochan Mandir was with Awas-Vikas Parishad, Faizabad. Chakartirath, which is in Ayodhya and situated at Parikarma Marg, is also my Ashram, known as Hanuman Bagh Ashram. This site, where a temple is being constructed, does not belong to my Guru. I have purchased the land. No Suit is going on in this regard. Besides, I have other seats in Ayodhya. Among them, a Cow-shed nearby "Amethi Mandir" and a "Nakshtreyashti Yajnashtala" are mine. Besides these, I have no other place in Ayodhya. It is not correct to say that I am one who believes in expansion.

My Guru has shown the papers concerning to his ownership of the disputed premises, to me. These includes the papers of municipality, tax payment and papers concerning to revenue Deptt.. These papers were before hand but for which year, I do not know. I have seen these papers after I became a Mahant, in the year 1981. When these were shown to me by Mukhtar (Attorney). The name of that Mukhtar was Shyamu Mukhtar. Shyamu Mukhtar is still alive. I am not recollecting what was written on these papers. All these work is done by Mukhtar or Lawyer. I have filed these papers in the suit. It is not correct to say that mutation of names in land records concerning to disputed property was done in the name of Mahant Raghunath Dass. As per my information, there is no such paper concerning to disputed Bhawan wherein mutation was entered in the name of Mahant Raghunath Dass. Ram Chabutra was attached in 1982. No person by the name of Raghunath Dass lived in the disputed premises. It is not correct to say that Mahant Raghunath Dass used to worship in the disputed premises. I do not know if he was affiliated with Nirmohi Akhara or not. I have the knowledge about the attachment done in 1982. This was

happened because Siya Raghav Saran, appointed as a Pujari by my Guru, was not maintaining the financial records properly after I became a Mahant. That is why he, after dispute, inconnivance with the Police get the property attached and lodged the F.I.R. in respect of attachment. This report was lodged by Siya Raghav Saran. It is not correct to say that this F.I.R. was got written by Ram Kewal Dass ji. Whereas the fact is this that Ram Kewal Dass was not a party. He became a party during the period when proceeding was pending in the Court, probably in the year 1982. K. K. Ram Verma, who was a receiver for the inner parts, was also appointed as receiver to outer part. He was appointed as a receiver by City Magistrate. A written agreement was done, when Verma took over the charge of receiver. I do not remember the year in which K .K. Ram Verma was appointed as a receiver for outer part. At the time when K .K. Ram Verma took over the charge, idols were there as it was kept earlier. Proceeding for attachment was carried out in the Court of City Magistrate. A Civil Suit concerning to this was filed by Shri Ranjeet Lal Verma, Advocate in the Court of Faizabad. Shri K.K. Ram Verma, Siya Raghav Saran and myself were the parties in the Suit. Name of other parties are not remember to me, at present. Title of the Suit was Nirmohi Akhara V/s K. K. Ram Verma. The title of the suit, which was in the Court of City Magistrate, was Dharmdass V/s Siya Raghav saran. Whether Siya Raghav saran is alive or dead, I have no knowledge about this because he lives in Bihar. When he went to Bihar, I do not know. He was in Ayodhaya up to the year 1982. Four-Five month back he came to me. Siya Raghav saran left residing permanently in Ayodhaya after he left for Bihar. At the interval he used to come to Ayodhaya. Last time, when he came to me, he was in Delhi in connection with an operation of his pupil.

Learned advocate cross-examining drew the attention of the witness towards the picture No. 9 and 10 of the black and white album document No. 201 C-1. Witness after seeing it said that both the pictures are of one place and were taken from different angles. This place is at a distance 10 feet towards north from the south north in the disputed premises. An idol of Varah Bhagwan is appearing in these pictures. On drawing his attention towards picture No. 20 to 23, witness said after seeing the pictures that these pictures were of one place and were taken from different directions. Northern gate i.e., northern part of Singh dwar is appearing in picture No. 20. Two idols of Lion and a small an idol is appearing in this picture. Picture of Garur is appearing in the middle of picture No. 20. Singh dwar is appearing in picture No. 23. The stairs appearing in the picture, leads towards north to join the road. Upon seeing the picture No. 24 of the album, witness said a shop is appearing in the eastern side in this picture. A donation box kept at a place is appearing in this. Who kept the donation box, I do not know. But there lived a Sidh Mahant in Ayodhya who used to keep the donation box at any place, at his will and money collected therefrom, was used for distributing the prasad and arranging for the food for Sadhus. Ramrangre Baba was living at Prahlad Ghat and used to live on the tree during the night. A stone, at the corner is appearing in picture No. 24. "One" is written on the stone. "Janambhoomi daily journey" is written on it. Witness upon seeing the picture No. 7 of this album said that Hanumath dwar and one more gate opposite to it is appearing in this picture. This gate was in the disputed Bhawan. In the middle, a tin shade is appearing where Kirtan was chanted. Witness after seeing the picture No. 26 of the album said Hanumath dwar is appearing in this

picture: A kasouti pillar and a Police personnel is appearing in it. This picture appears to be taken from inner portion. Upon seeing the picture No. 29 and 30 of the album witness said that Chabutra is appearing in these pictures. Both the pictures are of one place. Witness after seeing the picture No. 31 said that eastern caves of Ram Chabutra is appearing in this picture. Two idols of Hanumanji and one of Ram Lalla, total three idols are appearing in this picture.

Witness after seeing the picture No. 32 said that place of Shankarji alongwith Ganeshji, Basaha-bullock, Parvati, Panchmukhi Shankar, Narmadeshwar Lord are appearing in it. Western corner of the disputed Bhawan is appearing in the picture No. 34 of this album. A Havankund (sacrificial pit) adjacent to a person standing is appearing in this picture. Besides, there is a tree and railing in the picture. A portion of inner part of disputed Bhawan, one gate and a ladder are appearing in picture No. 35 of this album.

(On this subject, Learned advocate cross-examining has filed document No. 272 C-1/1 to 272 C-1/3 vide list document No. 271 C-1 and document No. 274 C-1/1 and 274 C-1/2 vide list document No. 273 C-1. These documents were taken on record)

Learned advocate cross-examining, has again drawn the attention of witness towards picture No. 37 of document No. 201 C-1 of black and white album. Witness in reply to a question said that eastern wall of the disputed Bhawan is appearing in the picture. A tree of Molshri is appearing in this picture. In picture No. 39 of this album a Chhattee Pujan Sthal, a throne and a tree and a broken wall is appearing. In picture No. 40 of this album a gate is appearing. This is the gate of Singh Dwar. This picture is

taken from inside. In picture No. 41 of this album, north and east side scenes, and one ladder is appearing in picture No. 46 of this album a southern gate of the disputed Bhawan is appearing. In picture No. 54 of this album wall with grill in internal part of the disputed Bhawan is appearing. In picture No. 55 of this album, a pillar of Kasouti fixed in the disputed Bhawan is appearing. On seeing the picture No. 56 of this album, witness told that an upper part of a pillar of Kasouti with a feature is appearing. In picture No. 62 of this album, an idol on the pillar, flower-leaves, one round shaped wheel, somewhat on the wheel and leaves-flowers, some small wheels are appearing. In picture No. 66, a pillar of Kasouti is appearing. In picture No. 70 of this album Grabh-Grih is appearing. In picture No. 74, a pillar of Kasouti, pot decorated with leaves and flowers, a flowerpot kept on the pot are appearing. In picture No. 76 of this album a pillar of Kasouti, pitcher, an idol, various kind of leaves and flowers at different places and an idol of Bhairavji is appearing. In picture No. 81 and 82, of this album, picture of same place is appearing. Besides, the scene of Grabh-Grih of RamJanambhoomi, Pujari in standing position, an idol of God, a throne and donation box is appearing.

On showing the picture No. 86 and 87 of this album by Learned advocate cross-examining, witness said that both the pictures are of one place. Inner part of mid dome is appearing in it. In these pictures on entering from mid dome, in the right direction, second number scene is appearing where pillars of Kasouti were fixed. Leaves and flowers are appearing in it. In picture No. 96 of this album, a pillar of Kasouti engraved with leaves and flowers, a pot and four small squares are appearing. In picture No. 100 of the album, one pot is appearing. In the

middle various crafts work is appearing. In addition to this leaves and flowers and scene of an idol is appearing.

In picture No. 106 of this album, a pillar of Kasouti engraved with a pot, and cover like thing engraved with leaves and flowers, an idol of Hanumanji and various craft works by the side of pot is appearing. In picture No. 107 of this album, Hanumath gate is appearing. This picture was taken from inner portion. In picture No. 108 of this album a Baba, named as Bhaskar Dass, known to me and who is a very important personality and a Mahant of Hanumangarhi is appearing.

I know that Siya Raghav Saran had, in 1982, filed an application for mutation in the Revenue Office. Then said I do not remembered if Siya Raghav Saran had filed an application for mutation in Revenue Department or not.

On showing the document No. 272 C-1/2 by Learned advocate cross-examining, witness said after reading it, that Siya Raghav Saran V/s Mahant Raghunath Dass (defendant – deceased) is written as a party. It appears from seeing this paper that Siya Raghav Saran had filed a suit. I have filed a counter-document in this case. I have signed it only after understanding its contents. This counter affidavit was for dated 16.7.1982. In counter-document No. 272 C-1/2, I have written myself as a pupil of Abhiramdass. I have not written as Cehla Abhiramdass because pupil, Chela and Sadhak are one. There was a dispute over the disputed site in between Siya Raghav Saran and me. Siya Raghav Saran had wanted the mutation in his name, which was opposed by me. This dispute was in regard to outer land.

Learned advocate cross-examining has read out the first three lines of Para 1 of counter document No. 272 C-1/2 to witness. Witness said, things written therein are correct. This is a fact that disputed premises and site is a public place and a temple is not an individual property. I have written it in accordance with the tradition. I have been listening this type of facts. I understand the will. It is correct that there are two type of will in Sadhu Shahi. First will is of Sarvrahakari and second will is ordinary. It is correct to say that Sarvrahkari will is executed only in respect of the property of God.

Verified the statement after reading.

Sd/-

Mahant Dharmdass

17.3.2005

Typed by the stenographer, in the open court as dictated by me . In continuation to this, the suit may be fixed for further cross-examination on 18.3.2005. Witness to be present.

Sd/-

(Hari Shankar Dubey)

Commissioner

17.3.2005

Before: Commissioner Shri Hari Shankar Dubey,
Additional District Judge/Officer on special
duty, High Court, Lucknow Bench, Lucknow.

Dated 18.3.2005

DW. – 13/1-1, Mahant Dharmdass

(Commissioner appointed vide order dated 11.3.2005
passed by Hon'ble Full Bench in Other Original Suit No.
4/89)

(In continuation to Dt. 17.3.2005, cross-examination on an
oath of D.W-13/1-1, Mahant Dharmdass, by Shri Tarunjeet
Verma, Advocate on behalf of plaintiff Nirmohi Akhara
other Original Suit No. 3/89, continued)

There was a Lomesh Rishi Ashram near disputed site
and Lomesh chaura in the south of disputed premises. It is
also called Lomesh Chaura. Since I have not seen the
book "Rudryamal", I cannot say if Lomesh Rishi Ashram
was referred in or not. Lomesh Rishi Ashram has been
there from the time of Ramchanderji. Kaikei Bhawan is
adjacent to disputed premises. It was in the north-east of
the disputed premises. This is an ancient place, as per my
knowledge. Volunteer I used to go to this temple daily for
darshan. A reference, in this regard, is in Puraan and
Ramayana. Sumitra Bhawan is also adjacent to disputed
premises. Sumitra Bhawan is situated at southeast corner
of the Disputed Bhawan. I have also sought darshan in it.
It is also referred in Ramayana and Purans. Kaikei
Bhawan, Sumitra Bhawan and disputed premises are in
close proximity. Sumitra Bhawan, alongwith the other
Bhawan was acquired during the Chief Ministership of
Kalyan Singh. Baba Abhiramdass Kathamandap was also
covered under acquirement. Sakshi Gopal Mandir, Sankat

Mochan Mandir and Shiv Chabutra were also covered under acquirement. During this process of acquirement, Disputed Premises and Ram Chabutra were not acquired. The above acquired temples were demolished by Kalyan Singh Government. I have not taken any action at the time when old temples were being demolished because it was learnt at that time that Ram Mandir is going to be constructed there. Immediately after demolition, a platform was started constructing that's why I have not protested demolition of old temples. I have faith in these old temples but I have not protested demolition of old temples in the hope that small temples are being removed to construct a large temple, which will be beautiful Ram Mandir and of world level. Similar faith can not be existed for all. I have no knowledge if Nirmohi Akhara had submitted some document against the acquisition, done in October 1991 or not. I do not know if Nirmohi Akhara had filed documents within 15 days after acquisition.

The rules through which Ram Chanderji went to forest from Ayodhya, still exist. His first halt was at the route on the bank of Sai River. This Sai River is still in the south of Ayodhya at a distance of 25-30 kilometer. Second halt was at the bank of Gomati River. Gomati River falls in Distt. Sultanpur. Besides, they stayed at Sriongverpur. Shringverpur is existing even today, where pilgrims goes every year. In addition to this Ramchanderji had stayed at Panchvati, Chitrakoot. This place is situated at the border of UP and MP. First halt was at Kamadgiri Mountain. There is a Ramgupha. In addition to this, he stayed at Nasik, under which there is a Panchvati. Lord Rama, most of the time, during his exile stayed at Kamadgiri place under Chitrakoot. Parikrama of Kamadgiri is performed daily, even today. Besides above places, Ramchanderji stayed at Rameshwaram. In addition to this he stayed in

Lanka, Kiskindha and various other places. These places still exist. Geographical situation of then Lanka differs today. Besides Lanka, all the places where Rama stated to be stayed, still exists. These places prove that Ramchanderji descended in Ayodhya. In addition to this there is Ramayana, Puran and traditional public sayings to know about Ramchanderji. Saryu is also mentioned in Ramcharitmanas. It was stated in Ramayan that Saryu River is flowing in the north of birthplace of Shri Rama.

In this connection it is written in Ramcharitmanas that "*Janambhoomi mam puri suhavani, uttar disi bah saryu pawani. Jahan manjan kar vinay prayasa, mam sameep nar pawahin basa*" means Saryu river flows in the north of Shri Ramchanderji Janambhoomi. By brushing teeth there and doing darshan of birth place of Shri Rama, one get proximity to the God and salvation.

(At this point Learned advocate cross-examining vide list No. 275 C-1, filed document No. 276 C-1/1 to 276 C-1/3, which was taken on record)

Learned advocate cross-examining, drew the attention of witness towards document No. 276 C-1/1 to 276 C-1/3. Witness said this affidavit was submitted before Revenue Officer Faizabad. I knew about this affidavit. Date of hearing 16.7.82 has been marked on this affidavit. The papers Nos. 272 C-1/2 to 272 C-1/2, shown to me yesterday was also marked as, date of hearing 16.7.82. It appears from these papers, that I have filed both, affidavit and objection letter on the same day, in the same suit.

It is written in para-1 of document No. 276 C-1/2 in the affidavit, "Shri Ramjanambhoomi and its premises and

disputed site is a public place and a temple and not an individual property." The matter written in the affidavit by me is correct. Disputed site is a public place and a temple and not a individual property of anyone. I have been listening this traditionally and also heard from my Guru. On the basis of above I have written this in my affidavit. It is not correct to say that I am giving false statement and I have no knowledge about the facts. Even than I am giving false facts. Learned advocate cross-examining drew the attention of witness towards para – 2 of the affidavit. Witness after reading the first three lines said the matter written therein is correct. So far I knew, the temple is here since four hundred and fifty years and before that. According to knowledge gained from tradition that worship is going on in it since four hundred years. I have no knowledge who was performing Pooja-archana (worship) there but since long I am seeing that my Guru Abhiramdass had been performing Puja. My Guruji told me that incarnation of God happened there. I have not tried to know who used to perform worship prior to my Guru. I, on the basis of the documents and on people sayings, have written in para 3 of the above affidavit that "in that order, main site is attached under section-145 Cr.P.C". It was attached in Dec 1949. Besides, another attachment was done in 1982. This attachment was in respect of Ram Chabutra. An application in respect of attachment-1982, was made by Ram Udar Sharan to District Magistrate, Faizabad.

I have no information in this regard. Ram Udar Sharan was not known to me. I have no knowledge whether name of Ram Udar Sharan's Guru was Siya Raghav Sharan or not.

Learned advocate cross-examining, drew the attention of witness towards the fifth, sixth and seventh line of para – 4 of document No. 276 C-1/2. Witness said that the matter written in these lines is correct. Because Siya Raaghav Sharan used to become a pupil for want of money. Any person, on papers, can become a pupil of one person and can use the property of one Guru. Siya Raghav Sharan used to become a pupil of so many people, through wrong means. This I know on the basis of my personal knowledge and also on the basis of papers. It is not correct to say that the matter in respect of Siya Raghav Sharan, written in para 4 of above mentioned affidavit of mine, is not correct and I, inspired by ill-will, has written false facts.

Learned advocate cross-examining, Advocate drew the attention of witness towards para 5 of affidavit No. 276 C-1/3. Witness, in a reply to a question said the matter written in first three lines is based upon the fact that Sadhu community, by an agreement and by offering garland and chadar, made me Mahant and Sarvrahkar. Entry in this regard was made on the documents after that: Sadhu community confirmed my Mahantship by an agreement and offering garlands and chadar to me. I have produced the same agreement for mutation process. A suit is subjudice in this regard. So the mutation process is pending in the civil court, Faizabad. It is not correct to say that I had given false facts in para 5 of my affidavit about being a Mahant of Sarvrahakar. I have, in fourth and fifth line at para 5 of the above affidavit, written that Bhagat Ramlakhan Sharan has been conducting Akhand Jyoti and Akhand Kirtan, individually over a tin-shade chabutra. It was written there, below the chabutra, that after the demise of Ram Lakhan Saran, his Sadhak pupil Ram Dayal Sharan is conducting the kirtan there. Ram Dayal

Sharan lived in a house, purchased from Pappu Raja, at Nirmochan Ghat. Ram Dayal Sharan is no more now. It is not correct to say that the matter written in my above affidavit is false and baseless.

So many suits were filed after attachment in 1982. Among them, one suit by Nirmohi Akhara, was filed against me, in civil court. Besides, suit was tried in the court of City Magistrate, Faizabad, in between Siya Raghav Sharan and me. I do not remember if Siya Raghav Sharan had filed petition in the Hon'ble High Court or not.

Learned advocate cross-examining, Advocate drew the attention of the witness to document No. 274 C-1/1 and 274 C-1/2. Learned advocate cross-examining had explained the matter written in the said document, to witness.

The matter written in the document is correct. The case, filed under section -145 Cr.P.C. after attachment in 1982, was adjudicated in my favour. This case was, further referred to civil court and it was directed that the action in section-145 Cr.PC will be kept in abeyance till the decision by the civil court, in this case. Volunteer : that suit was filed in civil court to defer the action under section – 145 Cr.PC. I have filed a copy of peace agreement with Siya Raghav Sharan in civil court, Faizabad. I have the full knowledge of peace agreement. The plea forwarded by Learned Advocate of the plaintiff, that peace agreement was executed under pressure was not correct. What I can say if proceeding under section 145, Cr.PC, in regard to suit No. 21/1982 and the proceeding in the court of City Magistrate, was repudiated by Hon'ble High Court in its adjudication. From this paper I came to know that the proceedings in the case No.

21/1982, pending before the court of City Magistrate has been terminated by Hon'ble High Court. It is not correct to say that I entered into the disputed premises, by jumping over the boundary, on the night of 15-16 Feb, 1982 and looted the papers. It is not correct to say that I have the nature of coercion.

On this subject Learned advocate cross-examining filed a document No. 278 C-1 vide list document No. 277 C-1, which was taken on record. Attention of witness was drawn towards document No. 278-C-1/1. Witness after seeing a copy of application dated 16.2.82 filed by Ram Udar Sharan, pupil of Mahant Siya Raghav Sharan, before the District Magistrate, Faizabad, said that I have seen the application for the first time, today. I have no knowledge about the order passed by District Magistrate, Faizabad on the application filed by Ram Udar Sharan. I have no knowledge about the order passed by the District Magistrate, Faizabad, on the said application, for the police officer of the area. It is not correct to say that prompt action was taken on the application made by Ram Udar Sharan in regard to a loot and I was arrested on the basis of the application.

Attention of the witness was drawn towards the list of witnesses dated 10.3.2005 by Learned advocate cross-examining. I have referred the name of Lal Baba, pupil of Baba Jai Karan Dass, Sadhu affiliated to Haridwar Palte Jhundi community of Hanumangarhi at Sl.No. 2 on the list of witnesses. He was living in Hanumangarhi much before than I came. Shri Ram Sharan Dass who mentioned at Sl.No.8, is a Sadhu of Basantia Path and related to Jhunda community of Basantia path. Avadh Bihari Dass, referred at Sl.No. 10 is related to Dunda community of Sagaria path and is a Guru of Baba Harishankar Dass.

It is not correct to say that the papers related to Nirmohi Akhara, prior to the year 1985 and after that year, were looted in connivance with Ram Lakhan Sharan Dass. It is also not correct that I have destroyed 90 percent papers concerning to agreement, after looting them. Volunteer : that there was no Theka (contract) of Nirmohi Akhara. It is also not correct to say that I have destroyed all the papers bestowed by Nawabs and papers related to suit, on 16th Feb 1982. I had no knowledge if any suit was filed by Ram Lakhan Sharan against Nirmohi Akhara or not. I have no knowledge that there is a dispute in between Siya Raghav Sharan and Nirmohi Akhara. I have no knowledge if there is a litigation concerning to Chabutra. Kirtan was going on in between Ram Lakhan Sharan Bhagat end Nirmohi Akhara. I also have no knowledge that Pateshwari Dutt Pandey Advocate/Commissioner was appointed in the above state litigation or not. It is not correct to say that I was fully aware of the commission work done by Pateshwari Dutt Pandey, Advocate. It is not correct to say that Nirmohi Akhara was performing Pooja-Path (worship) in the disputed premises before the attachment in 1949 and 1982. It is also not correct that attachment of 1982 has not been mentioned in any proceeding. It is not correct to say that what I have stated about Ram Chabutra, Shiv Darbar, Chhateepujan sthal and Sant Niwas, was not stated by my Guru during any proceeding. It is also not correct that I used to give threatening by forming a group, and being a wrestler, to Mahant, Poojari and Panch of Nirmohi Akhara. Volunteer : I have not filed any suit against Nirmohi Akhara, excluding a civil suit. There was no criminal suit in between me and Nirmohi Akhara.

It is also not correct that I have not produced the witnesses, examined in the suits going on in the court, for cross-examination. I have not done this because I thought that witness examined on behalf of Nirmohi Akhara, were the witnesses of Hindu party. Hence I did not think it proper to produce them for cross-examine. It is not correct to say that I am affiliated to Vishwa Hindu Parishad. I have been affiliated to trust. It is totally incorrect that I have no attachment with the disputed land. It is totally incorrect that I fight the suit only when I get money from Vishwa Hindu Parishad or trust and remain inactive in the absence of money. I have filed a suit against trust, it is a fact, but not for money. It is not correct that I have changed the advocates when felt necessary. It is not correct that I am one who believes in expansion and get the work done by coercion.

(Cross-examination by Shri Tarunjeet Verma, Advocate on behalf of plaintiff of other Original Suit No. 3/89, Nirmohi Akhara concluded)

(No Cross examination was conducted by Shri Vireshwar Dwivedi on behalf of Shri Umesh Chander Pandey, Defendant No. 17 and Defendant No. 22 of other Original Suit No. 4/89)

(Kumari Ranjana Agnihotri, Advocate on behalf of Defendant No.2, All India Shri Ramjanambhoomi Renovation Committee, said that she is not conducting any cross-examination from the witness.)

(Shri Ajay Kumar Pandey, Advocate, on behalf of plaintiff of Other Original Suit No. 5/89, said that he is not going to conduct cross-examination from this witness.)

(Shri D.P. Gupta, learned Advocate, on behalf of plaintiff of Other Original Suit No. 1/89 was given a chance to conduct cross-examination but he said that he is not going to conduct any cross-examination from the witness.)

(Thereafter, none on behalf of any plaintiffs other than the learned Advocate, on behalf of plaintiff on Other Original Suit No. 4/89 and plaintiff No. 4, 5, 6 and 26 in Other Original Suit No. 5/89 was present for cross-examination.)

(Cross-examination of witness by Shri Abdul Manan, Advocate on behalf of plaintiff No. 9 and 10/1, Mahmood Ahmad and Mohd. Farooq Ahmad began)

XXX XXX XXX XXX

I came to Ayodhya at the age of 15 years. Before coming to Ayodhya, I was resident of village-post; -Dumri Distt Baksar, Bihar. I did not come to Ayodhya with the will of my parents. At the time when I reached Ayodhya, I took bath at Nirmohi Ghat, Saryu. After that I went to Hanumangarhi and stayed there. There was 600 person with me at Hanumangarhi. It was a big place to live in.

Among the 600 people, some used to go outside from there. Every person going out and coming in was entered by Mukhtar. I was living in the Ashram of Baba Abhiramdass in Ayodhya. I came to this Ashram from Bihar at the age of 15 years, when I came to Ayodhya for the first time, I came without the permission of my family members. My family consists of my mother, father and brother. I have my elder brother at that time. I came to Ayodhya for the devotion. I met Abhiramdass at the Nirmochan Ghat, when I was taking bath. I have a word with him and he took me to his Ashram. Baba

Abhiramdass was a manager of his Ashram. Volunteer : He was also a Panch of Hanumangarhi. At that time almost 600 persons were living in Hanumangarhi. I am living in Baba Abhiramdass Ashram. Still I am here since 1962. Pooja Path is conducted in Hanumangarhi regularly. This Pooja is conducted at early morning, afternoon, at four PM and 10 pm. Every resident of Ashram did not remain present at the time of Pooja. There was four Pujari (priest) in the temple. Besides, there were persons who striked the bell and a person who swing the Chanwar to God and Sadhus who remain present there as per their will. Early Pooja is performed before five a.m. About 100-200 people participate in it. When I went to Hanumangarhi for the first time, I used to take part in the early hours Pooja and today while living in Ayodhya, regularly taking part in it. Early in the morning Saligram God, Hanumanji, Ramjanaki and other deities in temple are worshiped. Besides, Durgaji is also worshiped. Narsingh Bhagwan, Bharat, Shatrughan and Ram darbar are also worshiped. Ram darbar consist Ram, Lakshman, mother Janaki, Bharat and Satrugan besides Hanumanji. Priest enters into temple at 3 a.m. Aarti is conducted at about 5 a.m. and with the Aarti early Pooja came to an end. Thereafter people go for darshan. General public does not participate in early Pooja. They performed Pooja through Poojari (priest). I also remain there during the Pooja. About 100-200 people take part in Pooja at 5 a.m. People from outside also come to take part in this Pooja. Total number of people, including the people living in temple and outsiders, remains approximately 200. Door of fort remains open at that time. Temple is in fort. A big door is there. Door is closed at the night after night Aarti. There after none from outside can go there. Temple remains closed from 10 p.m. to two and half-hour in the morning. At 2:30 a.m. servant comes in and wakeup the priest.

Priest, after taking bath, at about 3 a.m. comes to temple. One servant remains there to open the door. He does not participate in the pooja. Besides, 20-25 servants are there. Among them four are Brahmans, nine are Kayashtha and rest are Yadava. In cow shed people from other caste also come. There is no caste-bar for servants. There is caste-bar for participating in pooja. I have no knowledge about the caste of 200 people who participate in early pooja but people from every caste remain there. There is no caste-bar for taking darshan. Both, Hindus and Muslims go for darshan. Idols are thrown open for people to take darshan at the time of Aarti. Aarti of all deities in Hanumangarhi is performed together. In Hanuman temple, besides Hanumanji, there are Ramji, Sitaji, Bharat, Satrugan i.e idols of Ramdarbar are there. In addition to this an idol of Shani Dev is also there. Shani Dev is a planet and is called a son of Sun. Sun has other sons also, other than Shani. I have no knowledge about the sons of Shani Dev. Sugreev and Karan are among the partial sons of the Sun. Besides Shani, I have the knowledge of their two sons only. I have no knowledge if Sun has other sons also, other than their three sons. Idols of Shani's brothers i.e. Sugreev and Karan are not with the Shani. Early in the morning all the idols are thrown to public for darshan. I do not remember how many idols are there in Hanumanji ka mandir. I live there but I have no knowledge about the number of idols. I myself have been a priest but cannot say about the number of idols. There are one-lakh twenty five thousand idols of Saligram. Vighraha of Hanumanji is in sitting position. It is described in the scriptures that when Lord Shri Rama started going to Saket, he handed over the seat to his beloved pupil Hanumanji and asked him to stay here till the Kirtan and religious discourses of God are continued. Wherever Kirtan-Bhajan of God is conducted, Hanumanji remains

there with folded hand. Lord Rama went to his world after ruling the earth for ten thousand years. This kingdom is on Sapt Bhoomi Sagar Mekhla i.e. on the seas and Sagar is called Mekhla of earth. Thus the entire earth was under his kingdom. There is choupai in Ramayana in this regard. At that time what was the length and width of the earth, I have no knowledge about this. The earth at that time was crores of miles in length and width. Entire earth was under the kingdom of Ramchanderji. At the time of Ramchandra, the name of this country was Aryavarth and not Hindustan. Africa and Europe is not under Aryavarth. China and Russia are under Aryavarth. All the countries by the side of Himalaya are under Aryavarth. Lanka is under Aryavarth. Burma, Indo-China, Syam (Thailand) also fall under Aryavarth. Japan does not fall under Aryavarth. Japan and Manchuria are in other Division. Aryavarth was under the kingdom of Ramchanderji. Tibet also falls in Aryavarth. Opposite area of China does not fall under Aryavarth. Ujbekisthan, Tashkand etc. also fall under Aryavarth. Afghanistan also falls under Aryavarth. Iran, Iraq is also under Aryavarth. Caspian sea falls under Aryavarth or not, I have no knowledge. Turkey is at what place, I do not know. France, Germany are not under Aryavarth. Italy also not falls under Aryavarth. Africa is not under Aryavarth. Ramchanderji ruled Aryavarth for ten thousand years. I have no knowledge who were ruling the countries other than countries falling under Aryavarth. America, France, Germany, Japan, England etc. were under Patal Lok (nether-most world). Ahiravana, brother of Ravana was the ruler of these countries. Ahirawana took Ram Lakshman to Patal Puri during the battle. Ahirawana took Rama-Lakshman to Patal Puri, present America. Hanumanji killed Ahirawana and took Ram Lakshman to the battlefield. The battle in between Hanumanji and Ahiravana took place in America. At that time America was

11033

in Patal Lok. This battle took place in present America. After killing Ahiravana, Hanumanji took Ram Lakshman to the battleground. Battlefield was in Lanka. Battlefield was not under Hindustan.

Verified the statement after reading

Sd/-

Mahant Dharam Das

18.3.2005

Typed by the stenographer, in the open court as dictated by me . In continuation to this, the suit may be fixed for further cross-examination on 21.3.2005. Witness to be present.

Sd/-

(Hari Shankar Dubey)

Commissioner

18.3.2005

Before: Commissioner Shri Hari Shankar Dubey,
Additional District Judge/Officer on special
duty, High Court, Lucknow Bench, Lucknow.

Dated 21.3.2005

DW. – 13/1-1, Mahant Dharmdass

(Commissioner appointed vide order dated 11.3.2005
passed by Hon'ble Full Bench in Other Original Suit No.
4/89)

(In continuation to dated 18.3.2005, Cross-examination on
an oath, of witness by Shri Abdul Manan, Advocate on
behalf of plaintiff No. 9 and 10/1, Mahmood Ahmad and
Mohd. Farooq Ahmad, continued.)

I have mentioned in my statement about the battle
which took place in Patal Lok i.e. present America.
Description about this is in "Hanumansathika". As per my
knowledge the Patal Lok which I referred above, is present
America because when night falls here, there remains a
day. The battle of Patal Lok took place in between
Hanumanji and Ahiravana. It is correct to say that Ram-
Ravana battle took place in Lanka. I cannot say when the
Ram-Ravana battle took place. Ram-Ravana battle did
not take place at any place other than Lanka. The battle
not happened at any place in Hindustan. Ram-Ravana
battle happened years back. Lakhs of people were
killed in this battle. Ram Ravana battle lasted for about a
month. Ramchanderji, won the battle and Ravana was
defeated. Ramchanderji, had no army with him from
Ayodhya. Sugreev has provided an army to Ramchanderji.
Sugreev was a king of Kishkindha. Kishkindha is at a
distance of more than four hundred miles from Lanka. Ram
Chander had not called for army from Kishkindha from

Lanka. He took the army from Kiskindha to Lanka. Ramchanderji went to Kiskindha first and after traveling four hundred miles with the army reached Lanka. Ramchanderji stayed in Kiskindha for three months. Kiskindha was not near Hyderabad. Kiskindha falls away from Andhra Pradesh. This place is towards Rameshwaram. Rameshwaram is at a distance about two hundred fifty kilometers from Kishkindha. After staying in Kishkindha for three-four month he went to Lanka alongwith the army. Lakshmanji and Sitaji went with Shri Ramchanderji from Ayodhya. During his stay at Kishkindha, for three months, besides Lakshmanji, other army heads under the command of Sugreev were with him. Nal-Neel, Angad and Jamwant were among the army heads. Agains said Divid and Mayank were also there. Ramchanderji alongwith his army stayed at the bank of Lanka and Bharat, but I have no knowledge for how many days he stayed there.

Volunteer : a bridge over the sea was constructed. It is believed that the bridge was 70 yojan in length. One yojan is equal to 4 miles. This means bridge was 280 miles long. Army crossed the distance of 280 miles by running over the bridge as people of that time had strong physique. How much time, army took to cross over the bridge, I do not know. Some people of army reached Lanka within a day and some people in more days. Hence various people of army reached Lanka at different times. Ramchanderji stayed in Lanka for less than a month. During this period Ram-Ravana battle was fought and Ravana was killed and Ramchanderji returned to Ayodhya with Sita. Vibhisan also played a role in the battle. Vibhisan was a devotee of Rama. Vibhisan was with Ram in the battle. Vibhisan got the throne after the death of Ravana. Vibhisan was one among the Sapt-

Jeevis and is immortal. My Guru told me that then Lanka is now submerged in the sea and was in the south of the present Lanka. So the present Lanka has not the then Lanka of Rama's time. Lanka of that time was at a distance of two to three hundred kilometers, in the southern part under the sea, from the present Lanka. I have no knowledge if present Lanka is situated in the south of Maldives or not.

Ramchanderji went to south of present Lanka, at a distance of 200 kilometers and stayed there for 20-25 days. Ravana was killed in Lanka. I cannot say what was the age of Ravana at the time when he was killed, but his kingdom was lasted for long time. For how much time Ravana ruled, I cannot say. After returning from Lanka, Ramchanderji came to Prayag in Bharat. He came by "Pushpak Vimaan". "Pushpak Vimaan" was a vehicle of deities. It took Ramchanderji less than a day to reach Ayodhya. Ramchanderji, while travelling in Pushpak vimaan, described the scenes of Ayodhya to the personnel of his army. In this regard, description is available in Ramcharitmanas. Ramchanderji, told his army that this is the Ayodhya city. Saryu River flows in its north. This is my birthplace. This is a holy place. This was described in Ramcharitmanas. Ramchanderji has not described the length and width of Ayodhya but he described the scenes of this city. While departing from Prayag, he said, it is a Kot. This is a birthplace and this is Saryu River.

I gain the knowledge about the length and width of Ayodhya on the basis of traditions. After Ramnavami 84 kosha parikarma is started from Makhora. This parikarma of 84 kosha is held every year in the month of Chaitra at Poornima and lasted for one month. During this parikarma pilgrims go up to 5 miles, at some time upto 6 miles and at

some time 10 miles. This distance is fixed on day today basis. Pilgrims go together one behind the other. There was huge gathering in this parikarma. I have also seen this parikarma. Parikarma starts from a place called Makhora, which is at a distance of 8 k.m. from Saryu and comes to an end at Mahora. Thousands of people take part in this parikarma. The number goes on increasing. At the time when 84 kosh parikarma comes to an end, a number of people gathered there. Approximately 50-60 thousand people are gathered at that time. Journey is terminated in accordance with the date. It comes to an end on Poornima (full moon). Parikarma is terminated after taking bath. Lakhs of people take bath. People come, take baths and goes.

Second parikarma falls on Kartik Akshay Navami called 14-koshi parikarma. Fourteen-kilometer parikarma is completed in a day. It has to be completed on the same day. Parikarma has to be completed on the fixed date. Volunteer : that people, like old aged person, who cannot complete the journey on the same day, can complete it even after fixed date. 14-kosh parikarma can be started at night. It started at the hours, when Ramnavami falls. The journey came to an end on the same day upto night. It does not take two to three days to complete the journey. People complete 14-kosh parikarma in one day. In which, about 8-10 lakhs of people participate. People from all over India come here. These 8-10 lakhs people stay at different main places. Besides, Govt. also arranges accommodation. Public arrange for food-medicines etc. at different places. People, who help the pilgrims, are available at different places. People from outside also come to take part in this parikarma, by rail, bus and by their own vehicles. Some people go after completion of parikarma and some people stay there for panch koshi

parikarma and return only after completion of parikarma. Panch koshi parikarma began on Ekadashi, one day after 14 kosh parikarma started on Navami, this parikarma begins on Ekadashi.

I do not know that during Ram-Ravana battle, how many people of Ramchander's party were killed and how many of Ravana's party. I do not know how many people of both the party were killed. I do not know what was the age of Vibhishan, at the time when he was gifted the throne.

During the time of Ramchanderji, length and width of Ayodhya was 84 kosh. Ramchanderji described the things, which were present in Ayodhya at the time of his return, to monkeys and bears. Monkeys and bears came from Lanka with Rama and were living in Ayodhya. I cannot say how many monkeys and bears came with Ramchanderji from Lanka to Ayodhya. I can not guess the number of people living in Ayodhya at the return of Ramchanderji. Among the people who came with Ramchanderji, Sugreev, Vibhishan, Janwant, Angad, Nal-Neel, Dwivid, Mayank went back. Hanumanji, and Matgajendra S/o Sugreev stayed back. Vibhishan, came with Ramchanderji from Lanka to Ayodhya. Ramchanderji ruled over Ayodhya for 10 thousand years after returning from Lanka to Ayodhya. There was peace and tranquility in Ayodhya during his rule. There was no turmoil during 10 thousand years rule of Ramchanderji. There were a number of palaces. Palace of Ramchanderji was very large. Besides, the palace of Ramchanderji, there was arrangement for camping of army, Sant Mahatama. In my knowledge there was no mention of any palace other than the palace of Ramchanderji during the time of Ramchanderji. During the time of Ramchanderji, Saryu

was flowing adjacent to Ayodhya. Saryu was flowing for 8-10 k.m. in the Area of Ayodhya.

So far I know there are 3-4 mosque in Ayodhya at present. It is not correct to say that at present there are 27 mosque in Ayodhya. It is not correct to say that Namaz is offered in these 27 Mosque daily. I have been living in Ayodhya for last 40years. Ayodhya at present is 4-5 kilometer in east west and 3-4 k.m. in North-south. I am telling this on the basis of municipality record. Ayodhya has a separate municipality and Faizabad has another. Namaz is offer in the mosque, I referred above in my statement. Five times Namaz are read in these mosque. I have seen the Namaz being read. I do not know whether Taraviah Namaz is read in this mosque during the Roza. I know about Roza. During Roza, people do not take food during the day. They take food after sunset and thereafter at 4 a.m. During night one can take food as many times as he desired. Water can be taken. During Roza one cannot take water also during the day. When Namaz is read, azan of Allaha is performed. During this period prayer is read to God.

During all five Namaz "Allaha ho Akbar" is chanted. My observation is that five times Namaz would have been read in mosque in Ayodhya but I have no knowledge about this.

I am familiar with the word, Minar. It is not correct to say that Tower is not must in mosque. I have no knowledge about this that there are no minarates in mosques in the cold countries. Volunteer : that so far I have seen, mosque have the tower. If mosque in England have the towers or not, I have no information about this because I have never been there. Similarly, I do not know whether mosque in Sweden have the towers or not. Volunteer : he had not

been to any country other than Nepal. In the state where snow fall is accured, towers can be seen on the mosque. I do not have the knowledge if mosques in Norway have the towers or not. It is correct to say that disputed Bhawan have no towers. It is learnt that Meerbaki had tried to build a mosque at the disputed site in 1528 but he could not succeeded. It is heard that he was a commander of Babar for to that region. Meerbaki might be resident of Fargana but it is said Samadhi of Meerbaki is on Sahnavan, in Faizabad. This place is in southeast of Ayodhya at a distance of 6-7 k.m. I do not know when he died. People believe that there was a Samadhi of Meerbaki at Sahanvan. I have been at that place. Other people also go there. It is correct to say that disputed Bhawan was spread over to 100 feet in north south and 90 feet in east west. I have seen disputed Bhawan thoroughly. I have seen disputed mosque. I cannot say how much land was attached to the outer portion of Babri mosque because I have not seen the Babri mosque. It is not correct to say that Babri mosque was constructed in 1528, when Babar was in Hindustan. It is not correct to say that since than it is called Babri mosque, since when the dispute arised about this Bhawan. Prior to this it is called Ramjanambhoomi and still it is called Ramjanambhoomi.

Learned advocate cross-examining drew the attention of witness towards FIR registered on 23.12.1949 at 19:00 hours under section 145 Cr.P.C. Witness was shown the document No. 115. On the suggestion made by Learned advocate cross-examining, witness read the FIR and said it appears from the report that this report was lodged by Ramdev Dubey, Sub-inspector, P.S. Kotwali, Ayodhya. It is not correct to say that idols were kept therein on 22/23.12.1949. But idols were appeared there. It is written in the report that "accused Abhiramdass,

Ramdass, Ram Sakal Dass, Sudarshan Dass and 50-60 person has desecrated the mosque by forcibly installing idols". It is not correct that disputed Bhawan was a mosque before FIR was written. It is not correct to say that 100-150 Hindu people, together have installed idols in the disputed Bhawan. It is written in the report that mosque was desecrated but Baba Abhiramdass used to worship there. On that day incarnation of God happened there and an idol of God was put on the throne. There are other proofs of incarnation of God. It is not correct to say that disputed Bhawan was a mosque on 23.12.1949 and till today it is used as a mosque. I was not in the disputed Bhawan on 23.12.1949. My Guru told me that incarnation of God happened on 23.12.1949 and he was a priest of that temple before and after that day. Distt. Magistrate, Faizabad reached there in the early morning on the day next to 23.12.1949. Although I was not there but I have heard about it. I do not remember whether the next day was a Zumma or not. I have no knowledge if Distt. Magistrate, Faizabad assured the Muslims that matter would be solved within a week so please have peace. My Guru had not told me about what the Distt. Magistrate said to the Muslims on 23.12.1949 in the morning.

I was at Ayodhya on 6th Dec, 1992. At that time I was at Ramjanambhoomi. I was there since 8:00 am on 6.12.92 till the morning of 8.12.1992. I was not involved in demolition of disputed Bhawan. I went there for the darshan. I was looking after that no damage is caused to God in the prevailing conditions. Lakhs of people were gathered there. I have no knowledge about the leaders, present there on that day. At that time I was in Grabh Grih of the Ram Janambhoomi. I was present there from 8:00 am on 6.12.1992 to 4:00 am on 8.12.1992. Disputed Bhawan was demolished before me. I was not among the

person involved in demolition. I was in the disputed Bhawan when it was demolished. Disputed Bhawan was demolished before 6:00 pm on 6.12.1992. I was present at the disputed Bhawan at 6:00 pm on 6th Dec, 1992.

I had tried to stop the persons who are demolishing the disputed Bhawan for some time. Thereafter, thinking for the God I remain there with the God. I was standing inside from 8:00 am to 2 – 3 noon on 6.12.1992. When disputed bhawan was demolished I was not hurt from bricks, stones. I was not with the people who were demolishing the disputed bhawan. I was with God.

(On this subject, Learned advocate cross-examining said that he will submit an application against witness before Hon'ble Special Full Bench in regard to his involvement in the incident of 6.12.1992. Hence he will conduct any further examination in respect of the incident dated 6.12.1992, only after the order is passed on the application.)

Verified the statement after reading

Sd/-

Mahant Dharamdass

21.3.2005

Typed by the stenographer, in the open court as dictated by me . In continuation to this, the suit may be fixed for further cross-examination on 22.3.2005.

Sd/-

(Hari Shankar Dubey)

Commissioner

21.3.2005

11043

Before: Commissioner, Shri Hari Shankar Dubey,
Additional District Judge/Officer on special
duty, High Court, Lucknow Bench, Lucknow.

Dated 22.3.2005

DW. – 13/1-1, Mahant Dharmdass

(Commissioner appointed vide order dated 11.3.2005
passed by Hon'ble Full Bench in Other Original Suit No.
4/89)

(In continuation to dt. 21.3.2005, cross-examination, on
oath, of witness by Shri Abdul Mannan, Advocate, on
behalf of plaintiff No.-9 and 10/1, Mahmood Ahmad and
Mohd. Farooq Ahmad, continued)

I have resisted a little when the disputed structure
was being demolished. I do not know the name of person,
I resisted from demolishing the structure. I have actually
resisted and my resistance was not ostensive. I cannot
say the number of person I stopped from demolishing the
structure. Action of demolition of Disputed Bhawan was
over by 6:00 pm. All the three dome of the Disputed
Bhawan have come down by 6:00pm. I was present there
upto that time. I was there even after that incident. The
ceiling of Disputed Bhawan came down. I have not seen
with what things the Disputed structure was demolished.
About ten-twenty thousand people were there for
demolition. Demolition was began around at twelve or
twelve and half hour during the day.

Question: Do you have any knowledge, when the Babari
Mosque was constructed?

Answer: I do not know, when the Babri mosque was constructed. But structure was repaired during the time of Britishers. It is said that it was repaired in 1934.

In 1934, disputed Bhawan was damaged. Who caused this damage i.e. Hindus or Muslims, I cannot say. But Britishers have realized fine from some Sadhus. Under which law, the fine was realized, I have no knowledge about it. I also have no knowledge how much money was realized. I heard that disputed bhawan was repaired to some extent. I have heard about this from the resident of Ayodhya. I have heard about it from Baba Abhiramdass, Shri Swami Baba Sarya Dass and other mahatamas. The person from whom I came to know about this was in Ayodhya in 1934. Baba Abhiramdass died on 3rd Dec 1981 and Sarya Dass died in 1987. No meeting was held in Lucknow before 6th Dec 1992. I have no information about the meeting held on 3-4th Dec 1992 at Lucknow. I was in Ayodhya on 4th-5th and 6th December 1992.

Question: Whether it was decided in the meeting held in Lucknow that Babari mosque to be demolished on 6th Dec, 1992.

(On this point learned advocate Shri Ajay Kumar Pandey on behalf plaintiff in Other Original Suit – 5/89 raised an objection that witness in reply to a question stated that neither any meeting was held in Lucknow nor he has knowledge about such meeting held in Lucknow. Hence such question cannot be allowed.)

Answer It is not correct. Neither any meeting was held nor I have participated in any meeting.

I have no knowledge whether leaders of Bhartiya Janta Party went to Ayodhya on 6th Dec, 1992. I have not seen Advani there on 6th Dec, 1992 at 12:00 noon. I know Advani. A suit is going on against Lal Krishan Advani. I know this. I have read in the newspaper that an application has been made to file a suit against L.K. Advani. I have no knowledge if Hindus have taken the material away from there. Volunteer : that he came to know on 9th Dec, 1992 that some material found in the structure have been kept in workshop. On 9th December 1992, officer and residents of Ayodhya told me that some material recovered from structure have been kept in workshop. I got this information, when I was in my Ashram in Hanumanan Garhi. Sadhus of my seat have told me about this. Ramdass and other people of my Ashram have told me about this. One-two people have told me about this. In addition to Ramdass, who told me about this, I do not remember. I was told that material recovered from disputed bhawan have been kept in workshop. Workshop is at a distance of three-four hundred yards from disputed bhawan. Materials in workshop are under the supervision of Government. Workshop is under Government. I am not able to say which Govt. officer, was the incharge of workshop. I do not know his name. This material is still in the workshop. 13-14 years have been passed since then. After demolition of disputed bhawan I have, at a number of time, proposed that Ramjanambhoomi may be constructed. It would be a great work for the nation because Ram is reverent to the entire humane community.

I have no knowledge of modern history. But I have a little knowledge of Purans. The structure constructed in 1528 did not continued. It was demolished in 1992. I, on 6th Dec.1992 from 8:00 am to 8.12.1992, used to do daily chores and victuals in Manas Bhawan. Then said, I used

to go to Manas Bhawan for daily chores and take food at any place. There are some other people with me from whom I used to bring the food. From 8:00 am on 6th Dec 1992 to 4:00 am on 8.12.1992, so many people, through out the world came to me. None has asked me why the disputed bhawan was demolished.

None among them has expressed his anguish, why the disputed bhawan was demolished. As per my knowledge, Meerbaki, in 1528 had tried to construct mosque. Since mosque was not constructed so namaaz was not read. It is not correct that namaaz was being read there. I have no knowledge whether Distt. Judge was appointed for disputed premises before 6th Dec, 1992 or not. A number of officers came there but what officers they were, I have no knowledge.

At 4:00 am on 8th Dec, 1992 I left disputed bhawan. Rapid action force, of Central Govt. has arrived there. I have heard it. I have no knowledge if Central Govt. has such force or not. I have no knowledge that how many personnel of the force came there. This force of Central Govt. had everything, arms and ammunition, with them. I have no knowledge whether the personnel of Rapid Action Force were already staying at Faizabad or not. I have no knowledge if five to seven hundred personnel of Rapid Action Force were staying at Faizabad for four to five days in advance. I have no knowledge whether correspondents came to dispute premises on 6th Dec, 1992 from Lucknow or not. I have not seen any correspondent. I have not seen if correspondent were taking photos of the disputed premises on 6th December 1992 or not. I have no knowledge from where the people came, who were there at the time of demolition of disputed structure and where they were gone. None from Faizabad has told me about

this. Construction was carried out at the site where disputed structure was. An idol of Ramchanderji was kept there. Earlier idol is present there.

(Cross-examination by Shri Abdul Mannan, Advocate, on behalf of plaintiff No. 9 and 10/1, Mahmood Ahmand and Mohd. Farooq Ahmad, was concluded.)

(Cross-examination by Shri Zaffaryab Jilani, Advocate on behalf of plaintiff No. 1,6/1 and 8/1, Sunni Central Board of Waqf, Jiyuuddin and Maulana Mahfuzurrahman begins.)

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I in my examination in chief affidavit, has written my age as 59 years. According to it, I was born in 1944-45. I have no horoscope, where in date of birth and birth year is written. I do not remember what age of mine, was written at the time of taking admission in the school.

I have no certificate of schooling. I neither have a certificate of my native place nor of Ayodhya. I have studied upto fifth and sixth class in school. I have not studied in school after coming to Ayodhya. Then said I have studied Ramayana from Mahatmas at their residence. I have not studied Balmiki Ramayana. I have studied Ramcharitmanas only. I have studied Ramcharitmanas in full. I understand the meaning of Ramcharitmanas as per my intellect. I have studied Ramcharitmanas for three-four years from Sadhus and Mahants. I started studying Ramcharitmanas after 3-4 month from I came to Ayodhya in 1962. I never had been to Ayodhya before 1962. Whatever I said about the things prior to 1962, were based on people's sayings. Volunteer : that he heard from his Guru also. My Guru, Abhiramdass

was an accuse in the report written in PS-Ayodhya on 23rd Dec, 1949. I saw this report yesterday during the time when I was giving statement. It is written in this report that accuse had installed idols in the mosque. My Guru, Abhiramdass name is also figuring in the accused person. In addition, Ramdass, Ramsakaldass and Sudarshandass were also among the accused. I never met Ramdass, Ramsakal Dass and Sudarshandass. I have no knowledge from where they hail. My Guru told me that Ramdass, Ramsakaldass and Sudarshan Dass were his colleague. I have no knowledge whether Ram Sakal Dass, Ramdass and Sudarshan Dass were alive at the time when I came to Ayodhya in 1962 or not. I had not enquired about it. My Guru told me that some people, under a conspiracy, had written a report against him on 23.12.1949. The incident of appearance of God, which I referred, happened on the night of 22/23 Dec, 1949. My Guru told me about the incident and when it was happened.

My Guru told me that he woke-up at two and half-hour in the morning. He performed his daily chores and took bath. At about 3:00 am he was sitting in the pooja, under the building with three dome. At that time God with four arms appeared. He was astonished with the incident. When he gained sense, he saw an idol of God appeared. He took it to throne. First of all my Guru saw the Chaturbhuj God was appearing. He was God Vishnu, who converted into as a child Rama. Chaturbhuj God appeared, half an hour after when my Guru was doing pooja at 3:00 am. Chaturbuj God appeared under the dome. He saw the God and got fainted. My Guru gain sense, one – one and half-hour after the incident. When my Guru gained sense, he saw child Rama and not Chaturbuj God there. He saw an idol of child Rama. He took that idol to the throne. Throne made of stone, was there already. I have no

knowledge if after putting an idol at the throne, he kept an idol at the stairs or not. Throne was kept under mid dome at the floor.

Learned advocate cross-examining, Advocate drawn the attention of witness towards picture document No. 154/13. Other Original Suit 1/89 (Original Suit No. 2/50, Gopal Singh Visharad v/s Jahoor Ahmad and others.) In reply to a question witness said throne is appearing at a stair, above the three steps.)

There are two idols on the throne. Both idols are of Ramlalla. Throne already was there on the stairs, which was kept by Maharaj. An idol was already there on the throne. Second one was appeared before Guruji and which he kept on the throne. This idol was appeared there when my Guru was not in sense. Not in sense, I mean unconsciousness. My Guru had not told me whether, at that time, Ramdass, Ramsakal Dass and Sudarshandass were there or not. But these people later on came in support of my Guru. This news was spread throughout Ayodhya. Many people, including Ramdass, Ramsakaldass and Sudarshandass came there. People started pouring in with the sunrise. My Guru told me that Paramhans Ramchander Dass was not present at the time of appearance of idol.

Question: Had the above an idol of Ramlalla at the outside chabutra been kept there under the dome in the night of 22/23rd Dec, 1949 by Paramhans Ramchander Dass and Abhiramdass etc. and to which you are referring as an appearance of an idol.

Answer: It is not correct.

It is not correct that I am giving false statement in this regard and an idol was not there on the night of 22 December and was kept there in the night of 22/23rd December 1949. It is also not correct that God had not appeared there on the night of 22/23rd December, 1949 and an idol was kept there under the mid dome from outside chabutra. My Guru used to sleep in the disputed Bhawan in the night. My Guru had been sleeping there for last two-four years. My Guru also takes food there and offered bhog. His goods for sleeping had also been there. It was very cold, when this incident happened on 23rd Dec, 1949. There were three portions in this bhawan. My Guruji had not told me whether curtains were there on the three doors in 1949 or not.

The throne appearing in picture document No. 154/13, was got prepared by my Guru, two-four years before 1949. An idol which was there on the throne prior to 23rd Dec, 1949, was also offered by my Guru. An idol which was there before 1949 was made of eight metals and also an idol put up on the throne in the night of 22/23rd Dec, 1949 was also made of eight metals. Both idols were not the same in size. Earlier was a little small than the later one.

Verified the statement after reading.

Sd/-

Mahant Dharamdass

22.3.2005

Typed by the stenographer, in the open court as dictated by me. In continuation to this, the suit may be fixed for further cross-examination on 23.3.2005.

Sd/-

(Hari Shankar Dubey)

Commissioner

22.3.2005

Before: Commissioner, Shri Hari Shankar Dubey,
Additional District Judge/Officer on special
duty, High Court, Lucknow Bench, Lucknow.

Dated 23.3.2005

DW. – 13/1-1, Mahant Dharmdass

(Commissioner appointed vide order dated 11.3.2005
passed by Hon'ble Full Bench in Other Original Suit No.
4/89)

(In continuation to dt. 22.3.2005, cross-examination on an
oath, of witness by Shri Zaffaryab Jilani, Advocate, on
behalf of plaintiff No. 1, 6/1 and 8/1, Sunni Central Board
of Wakf, Ziauddin and Maulana Mahfuzurrahman
continued.)

Learned advocate cross-examining, Advocate drew
the attention of witness towards picture document No.
154/13 of Other Original Suit No. 1/89, Gopal Singh
Visharad v/s Jahoor Ahmad and others. In a reply to a
question, witness said that in addition to Ramlalla,
Hanumanji, Baba Abhiramdass, in standing position, are
appearing in the picture. An idol of Saligram is on the
stairs. An idol of Saligram is at the top stairs i.e at the
palce where an idol of Ramlalla is. In the year 1962, when
I visited disputed bhawan for the first time, idols were kept
there in stairs as shown in the picture document No.
154/13. My Guru Baba Abhiramdass is appearing in the
picture. Disputed Bhawan was attached after the incident
of 23rd December 1949. My Guru Abhiramdass had
been living in the disputed bhawan under the northern
dome even after the incident. He used to stay there in the
night and took his food there. Besides, Baba Abhiramdass,
his supporters, appointed by Receiver were living with

him. Than said, I have no knowledge about other persons living there in addition to Baba Abhiramdass. I know only about Baba Abhiramdass. Baba Abhiramdass, due to his old age, left to live there around 1970. Baba Abhiramdass, after leaving the disputed bhawan, stayed at Hanumangahi for some days and had been performing Akhand Kirtan at Kanhaipur Hanumangarhi of Barabanki. Baba Abhiramdass died on 3rd Dec 1981 at Hanumangarhi. At the time of his demise he was 70-80 years old. I was with him at the time of his death. There was none, except myself, among his pupils, at the time of his death. I have been living in Hanumangarhi since I became the pupil of Baba Abhiramdass, whereas Baba Abhiramdass was living in the disputed bhawan. Baba Abhiramdass, in between 1962 to 1970, had not been permanently living in Hanumangrahi, he used to come there for darshan only. After 1970, Baba Abhiramdass never went to dispute bhawan for living. I do not remember if I went to see my Guru Abhiramdass, after sunset, at the time when he was living there. I do not remember if I went to disputed bhawan after sunset, in between 1962 to 1986.

I have no knowledge if any one excluding my Guru was living there at the night, in disputed bhawan upto 1970, or not. I used to go to disputed bhawan after every second-third day since 1962 to 6th December 1992. At sometime I also used to go daily. Whenever I went there before 1986, I found a lock at both the door of wall with grill. Constables remained there. It is not like constables did not allow any one other than poojari to go inside. Constables used to allow me to go inside on the order of my Guru Maharaj but I have not seen anyone going inside. Only such persons were allowed to go inside who were issued pass by receiver. Whenever I went in the disputed bhawan I have not seen anybody other than my Guru

Maharaj and priests in the disputed bhawan. During the period from 1962 to 1970 whenever I went to disputed bhawan none other than the priest Lakshaman Dass, who performed Ved-path, used to meet me. Lakshman Dass was not a principal priest. Principal Pujari was my Guru Baba Abhiramdass. It is not correct to say that my Guru, Baba Abhiramdass has not been appointed the receiver of disputed bhawan. Receiver has appointed my Guru, Baba Abhiramdass either as a Principal Pujari, Assistant Pujari or Pujari. I have no knowledge about this. I have not seen any paper regarding appointment of Pujari. My Guru, was appointed as Pujari by the receiver on 29th December, 1949. My Guru was a Pujari up to 1970. Later due to old age he left to perform as a Pujari. I have no knowledge if my Guru get pay for this work or not. Than said, Pujari did not get pay. They used to offer bhog to God and did other work from the money they get in Bhog-rag and for their services. After it was attached, record about offering is maintained. My Guru and Receiver Babu Priya Dutt Ram used to keep the record. Babu Priya Dutt has appointed a manager for this purpose. I do not remember the name of the manager. He lived in Lodhi Mandir. He was alive upto 1990. I have been seeing that manager since 1962. I saw him working as a manager upto 1985 approx. I am not recollecting the name of that manager. Manager used to come to the disputed bhawan at the time when Golak (cash box) is opened. I hve no knowledge at it what time it is opened. Golak was never opened before me. Manager did get the pay but how much. I do not know. Beside my Guru, there were two other Pujari. Their names are not known to me. The two assistant pujaries, whom I saw in 1962, have been working up to 1970 and even after 1970. Both the Pujari were changed in 1974-75 and new Pujaries were appointed. Laldass was appointed as a Principal Pujari, and his two-three assistant Pujari were appointed

after that. Lal Dass was appointed around 1974-75. Then said Lal dass was appointed as Principal Pujari in 1984-85. From 1970 to 1984-85, Principal Pujari, was from among the assistant pujaries of Guru Maharaj, but I do not know their name. I do not know who was the principal pujari of disputed bhawan from 1970 to 1984. My Guru Baba Abhiramdass was a principal pujari of the disputed bhawan from 1949 to 1970. Lal Dass appointed as a principal pujari in 1984-85, but he was, on an application, removed from his post, before 1990 by Hon'ble High Court. Thereafter Sateyander Kumar Dass was appointed as a principal pujari. Sateyender Dass is still working as a principal pujari. Sateyender Kumar Dass and Lal Dass were appointed as a principal pujari by the receiver. I have no knowledge about any other pujari other than these three, appointed by the receiver. I have no knowledge about any other than these three, if any, appointed by the receiver. I do not know the name of the assistant pujari, who had worked in the disputed bhawan, from 1950 to 1992. Assistant Pujari, who had been working in disputed bhawan, were not affiliated to Nirmohi Akhara.

My Guru Baba Abhiramdass had been working as a principal pujari for 12-15 years before 1949. My Guru had been working as a principal pujari in the disputed bhawan for 15 years before 1949 and upto 1970.

It is not correct that Nirmohi Akhara has been managing the disputed bhawan from 1949 or prior to that. In 1962, when I went to disputed bhawan for the first time, electricity connection was there and fans were installed there. Electricity bulb was also at Ramchabutra outside the disputed bhawan. In the year 1962, when I went to disputed bhawan for the first time, there were in all 10-15 bulb in the premises. Electric meter was at a distance of

5-6 feet in the north from the entrance gate. I do not know, when, prior to 1962, the meter was installed. I have, some times, made the payment of electricity bill on behalf of Baba Abhiramdass. Sometimes bill amount was for Rs. Three to four. I do not remember if Baba Ram Vilas Dass Vedanti had ever paid the electric bill on behalf of Baba Abhiramdass or not. He lived in Hanumangarhi. Ram Vilas Dass Vedanti never lived in the disputed bhawan with my Guru. He used to go there. Ram Vilas Vedanti became the pupil of my Guru Baba Abhiramdass, 3-4 years after me. I was present at the time when Ram Vilas Vedanti became a pupil i.e. Naga, of my Guru. I have no knowledge if Ramvilas Vedanti came to my Guru, straight, or stayed elsewhere, when he came Ayodhya for the first time. After he became a pupil of my Guru, he stayed with me for some time. Some time, I mean, for two-four years. Ramvilas Vedanti was sent to Varanasi for study. From there he came back in around the year 1980. He started living in Vasist Bhawan at Ramghat after he returned from Varanasi. Ramvilas Vedanti lived in Varanasi upto 1980 but at an interval used to come to Ayodhya. Ramvilas Vedanti was appointed as a Mahant of Vasisth Bhawan, when he was studying in Varanasi. He was appointed a Mahant by Ramsewakdassji. He stayed in Vasist Bhawan in 1980 as a Mahant. He constructed his residence, "Hindu Dham" at a little distance from Vasist Bhawan. He constructed that bhawan before 1990. Ramvilas Vedanti was looking after the political work relating to Ramjanambhoomi in addition to a Mahant of Vasist Bhawan, in 1992. I have no knowledge if he was an active member of Vishwa Hindu Parishad or not. He was also related to Ramjanambhoomi trust. I have not seen Ramvilas Vedanti, when I was there in 1962.

In 1986, when the disputed bhawan was unlocked, I was not in Ayodhya. I came to Ayodhya after 5-6 days after disputed bhawan was unlocked. I was in Ayodhya when foundation stone was laid in 1989. I saw Ramvilas Vedanti there on that day. I was managing the stone laying ceremony. Ramvilas Vedanti was not in management. I was sitting in stone-laying puja. Other people were arranging for to bring the people from outside, to provide them accommodation and food etc. These, other people were related to Ramjanambhoomi trust. Ashok Singhal and Shreesh Chander Dikshit were in the management. Stone-laying ceremony was held at a distance of 70 feet from eastern gate, in the east. This site was in the north of Abhiramdass Katha Mandap. Lal Dass was working as a principal pujari at that time. Laldass, after he was removed from the principal pujari, went to his birthplace to oversee the arrangements in regard to his field. He was murdered there. I had good relation with him because he was a Śadhu of Hanumangarhi. He was not a pupil of my Guru. He was from Basantia patte. The name of his Guru is not known to me.

In between 1962 to 6th December 1992, I went to the disputed bhawan at thousand times. From 1962 to 1986, upto unlocking of disputed bhawan, I went there for hundred times. Before disputed bhawan was unlocked, whenever I used to visit there and I used to see the things very minutely. My Guru lived there under northern dome and idols were under the middle dome, photos etc. were under southern dome. None lived there. There were four pillar of Kashoti in middle door of the disputed bhawan. Among them, two pillars were in the front and two were in the rear. There were four pillars under the northern dome of the disputed bhawan and similarly four pillars were

under southern dome. All these eight pillars were inside of the disputed bhawan. There was an arch for entrance in the north and south of the middle dome. There were four pillars under each arch. There was an idol of Hanumanji on a pillar in the inner part of middle gate. Other pillar did not have an idol of Hanumanji. An idol of Garurji was on one of the pillar, which were fixed under the southern arch. This pillar was in the western side. I could not recognize the other idols on the pillars. Idol was painted with sindoor. In two pillars, among the 12 pillars fixed inside, one had an idol of Hanumanji and other had an idol of Garurji. I could not recognize the rest of idols on 10 pillars. I used to go to the disputed bhawan upto 1992 but so many things were there which I do not remember. I used to worship the idols only on two pillars and none others. I used to worship the idols kept on the stairs of the mid dome in the disputed bhawan and the idols engraved on above two pillars. I also used to worship the earth there and none others. I have seen the Aarti of inner part of the disputed bhawan at a hundred of times. Aarti used to be performed of the idols kept on the stairs and of the twelve pillars inside, Aarti of both pillars in the outer part and Saryu used to be performed from inner side. In addition to this, Aarti of the earth use to be performed. This Aarti used to be performed by principal pujari and devotees as well. Principal pujari and devotees did the Aarti together and also separately. Devotees did the Aarti before 1986 i.e., before unlocking ceremony. Devotees did not go inside to perform Aarti, before unlocking ceremony.

Learned advocate cross-examining drew the attention of witness towards the parts of statement made today at page No. 144-145 that "Aarti used to be performed of the idols kept on the stairs and twelve pillars

inside.....". This Aarti used to be perform by principal pujari and devotees as well." "Aarti was being performed before 1986 i.e. before stone laying ceremony." "Upon this, witness said that it was written in the statement erroneously. This part that devotees used to perform Aarti from outside before it was unlocked, is correct. Devotee used to perform Aarti from inner portion after it was unlocked. Before that devotees used to perform Aarti from outside of the wall with grill. Devotee used to perform aarti to idols or pillars, which were inside. It is not necessary that aarti is conducted in front of idol or idol is in the right. Devotees used to perform aarti of pillars from inside. Devotee used to go at each pillar for darshan. They used to perform aarti of each pillar. There was no fix time for aarti but there is a fix time for the aarti by pujari.

No hymn is read at the time of Aarti. Light is shown to God with devotion. In addition to this sugandh (fragrance) is also burnt. Some devotees hold Agarbatti and some hold Deepak(light). About 100 devotees can perform aarti at a time under the place of three domes. Devotees light the Deepak after they come in. light with Ghee is lighted. Ghee, flowers, batti are submerged in Ghee and then batti is lighted. Batti was available at the outside and some people bring it from their houses. Batti is lighted with matchsticks. Devotees used to bring matchbox with them and some time they lighted their batti from others. Devotees used to light their Deepak under mid dome. Devotees used to take aarti of idols kept under mid dome; thereafter they took the aarti of pillars. It is not correct to say that devotees come for darshan in queue after disputed bhawan was unlocked and after taking darshan of an idol kept in mid pillar they go back. It is not correct to say that devotees were not allowed to go inside. It is not correct that I am giving false statement in this

regard and no devotee was allowed to go inside. Sepoys were deputed there, after it was unlocked. Sepoys were not there at every gate. Force personnel remain inside in 10-15 numbers. Devotees were allowed to go from north and southern gate. There was no ban on devotees to enter from northern and southern gate. It is not correct to say that from the date when it was attached and upto date of unlocking, none other than priest appointed by Receiver, were allowed to enter into disputed bhawan. It is also not correct that after the date when it was unlocked, no devotee was allowed to go inside the disputed bhawan from northern and southern gate. It is also not correct to say that devotees were not allowed entry from mid gate also and only darshan was allowed from mid gate.

Learned advocate cross-examining, Advocate drew the attention of witness towards picture document No.154/13 of Other Original Suit No.1/89, Shri Gopal Singh Visharad V/s Jahoor Ahmad and others. Witness in reply to a question said that idols were kept at the same place, as shown in the picture document No. 154/13, even after it was unlocked. But wooden plank/chaunki/throne was kept there. Wooden throne has been made on both side of stairs and stairs has been covered by it. But an idol was at the same place, as shown in picture document No.154/13. It is not correct that I am making false statement and idols have been kept in the south side, ahead from stairs or on the throne. An idol covered by frame of glass at a wall is appearing in picture document No.154/13. This is a Ram darbar of God. The painting appearing in picture document No.154/12 was not there on the Western Wall of mid dome of disputed bhawan. The painting appearing in picture document No. 154/14 and 154/15 of the above suit are the same as were on the wall of disputed bhawan. Volunteer a planet is drawn in it. I am not recollecting in which part of

the disputed bhawan such paintings were but such paintings were there in disputed bhawan. It is not correct to say that Allah in Arabic language is written in the circle drawn in these paintings. The fact is this that planet are drawn in these pictures. Nine planets angle are in these circles.

Learned advocate cross-examining, Advocate drew the attention of witness towards picture document No. 79, 80 of black and white album document No. 201 C-1. Witness in reply to a question said that the umbrella appearing in these pictures was fixed above the idol of God under mid dome. I have no knowledge where and when the umbrella was fixed. This umbrella was there in the disputed bhawan when I came to Ayodhya in 1962 and went to disputed bhawan for the first time. This umbrella was above an idol kept on the stairs appearing in picture document No. 154/13 of the above suit. It is not correct to say that this umbrella was not above the stairs but was in the mid of middle dome. It is not correct that this umbrella was not there in 1962 and it was kept there for the first time, after it was unlocked. Upon seeing the picture No. 82, 83 of this album witness said these pictures were of the past under the mid dome. God was sitting on the wooden throne. This throne was on the stairs. Idol of God Rama is appearing in these pictures. Only two idols are appearing in these pictures. Both the idols were of God Rama. Besides, Saligram God is appearing in it. Besides, an idol of Hanumanji is appearing. It is not correct to say that the throne appearing in picture No. 81-82 was at a far distance from the western wall of disputed bhawan. This throne was adjacent to Western Wall of disputed bhawan. It is not correct to say that throne was at a distance of 10-15 feet, in the east from the Western Wall of the disputed bhawan. Throne appearing in picture No.

11061

81-82 was kept there, well decorated, after the disputed bhawan was unlocked.

Verified the statement after reading

Sd/-

Mahant Dharamdass

23.3.2005

Typed by the stenographer, in the open court as dictated by me . In continuation to this, the suit may be fixed for further cross-examination on 24.3.2005

Sd/-

(Hari Shankar Dubey)

Commissioner

23.3.2005

www.vadaprativada.in

Before: Commissioner, Hari Shankar Dubey, Additional District Judge/Officer on special duty, High Court, Lucknow Bench, Lucknow.

Dated 24.3.2005

DW. – 13/1-1, Mahant Dharmdass

(Commissioner appointed vide order dated 11.3.2005 passed by Hon'ble Full Bench in Other Original Suit No. 4/89)

(In continuation to Dt. 23.3.2005, cross-examination of witness by Shri Zaffaryab Jilani, Advocate, on behalf of plaintiff No. 1, 6/1 and 8/1, Sunni Central Board of Waqf, Ziauddin and Maulana Mahfuzurrahman continued.)

Learned advocate cross-examining, Advocate has again drawn the attention of witness towards picture No. 82 of black and white album document No. 201-C-1. Witness after seeing the picture said that in this picture : one person is standing holding a iron rod. These rods were put up to prevent the entry of outsider near an idol. Among the doors fixed in the disputed bhawan, width of mid door wall was more than five feet. Railing was at a distance more than 6-7 feet from western corner of the wall of mid door of the disputed bhawan.

Learned advocate cross-examining, Advocate drew the attention of witness towards picture No. 103 of colour album document No. 200 C-1. Witness said that railing is appearing just behind the person, wearing red clothes. Perhaps, I am a person wearing red clothes. A person standing outside of the door, is Lal Dass, then principal pujari of the disputed bhawan. The pictures of black and white album and colour album were taken in my presence,

which were attached with album document No. 201 C-1 and 200 C-1.

In picture No. 103 of the colour album two pillars in the left and three pillars on the right side are appearing. Five pillars appearing in picture No. 103 were on the inner portion. Four pillars at the outer part of the door are appearing in the picture. Two pillars are appearing at the place where Lal Dass is. There is a southern outer part, where Lal Dass is standing. On the other side northern outer part is appearing where three pillars are appearing.

Learned advocate cross-examining drew the attention of the witness towards the part of his statement at page No. 151. Four pillars at the outer part of the door are appearing in the picture. Two pillars are appearing at the place where Lal Dass is. There is a southern outer part, where Lal Dass is standing. On the other side northern outer part is appearing where three pillars are appearing. Witness said that his statement is correct.

Question: I am to say that your statement is totally incorrect because there were only two pillars at the outer part of the mid door appearing in picture No. 103. Out of which one is appearing on the side where Lal Dass is standing and second one towards north side. What you have to say in this regard.

Answer In picture No. 103, two pillars, at the outer part, are appearing.

In my statement above, I have, by mistake stated that four pillars are appearing in the picture at the outer part of door. I have stated the total number of pillars. Only two pillars are appearing at the outer part, in actual. In

picture No. 103, three pillars are appearing at the inner portion. It is not correct to say that in picture No. 103 pillars are not appearing at the inner part of the door. Two pillars were at the wall in the inner part of the door. Two pillars are appearing in the southern part of this door and one pillar at the northern inner part. It is not correct to say that there were no two pillars at the inner part of the middle door.

Learned advocate cross-examining drew the attention of witness towards picture No. 155 of the colour album (there is a partial difference in picture No. 155 of the colour album, available; therefore the album shown to witness was marked with "A" below the document No. 200 C-1.) Witness, after seeing the picture No. 155 said northern wall of the outer part of middle door is appearing in the picture. A inner pillar of the northern wall of middle door adjacent to bell is appearing in the picture. Iron rod meant for restricting the devotees is appearing in picture No. 155. It was at a distance about 10 feet from the pillar appearing in the picture. It is not correct to say that iron rod was at a distance about 2 feet from the pillar. This rod is appearing in picture No. 156 of the colour album. In picture No. 152 to 155 of the colour album the same throne is appearing about which I have stated in my statement that this throne was ahead to the stairs and an idol of Ramlalla is in it. There was a little idol of God Jagannath and an idol of Saligram, in addition to an idol of Ramlalla on the throne. There was an idol of Gomati chakra also. Only there idols were on the throne.

A person with beard, appearing in picture No. 153, is Lal Dass. The throne appearing in picture No. 155, is also appearing at the middle part under the mid dome. Than said that this throne was kept against the western wall

under middle dome. It is not correct that throne appearing in picture No. 155, is in the middle under a mid dome and not kept against western wall. In picture No. 156, under mid dome, floor of inner part is appearing. This floor was made of cement. Black-path and white path, both was made of cement. I have seen such floor at other places also.

In picture No. 84 of colour album, a door of disputed bhawan is appearing. There is a curtain at the door. It is fastened. A sepoy is also standing there. it is mentioned about the portion of the door, as shown in picture No. 84, that no sepoy was deputed at that place before 1986. Sepoy was deployed there, after it was unlocked.

I have no knowledge if curtain was there in 1962 or it was fixed after 1986. When I went to disputed bhawan in 1962 for the first time there was no curtain since than to 1986.

About the portion of door shown in picture No. 85 and 86 of this album, it is mentioned here that Sepoys were deployed at that place after 1986. Pillar of stone is appearing in picture No. 84 to 86. No pillar of Kasouti on the north and south door are appearing in these pictures.

Witness, after seeing the picture No. 99 and 100 of the colour album said that southern door is appearing in picture No. 99 and in picture No. 100 too. It is not correct to say that the doors appearing in picture No. 99 and picture No. 100 are the northern doors. No pillars were there on these doors too.

Witness, after seeing the picture No. 49 to 54 of the album, said that an idol of Hanumanji is appearing in picture No. 54. An idol is also appearing in picture 51. In picture No. 50, 51, 52 and 54 idols are appearing. These are the idols of Hanumanji and Garurji in picture No. 50, 54. Besides the picture, where in an idol of Hanuman ji is stated to have, there are pictures No. 49 to 54, where an

idol of Hanumanji and none others, is appearing. Among the picture No. 49 to 54, at which place the pillar appearing in picture No. 49, was fixed is not clear. Pillar appearing in picture No. 50, 54 was at Hanumath Dwar. Pillar appearing in picture No. 51 is also at Hanumanth Dwar. Pillar appearing in picture No. 52 and 53 was also at Hanumanth Dwar. It is not correct to say that pillar appearing in picture No. 49 was under the mid dome. Lower part of pillar is appearing in picture No. 50, 51, 52 and 54. Upper part of pillar is appearing in picture No. 49 and 53. In picture No. 47 and 48, pillars and lower parts of these pillars are appearing. These pillars were at Hanumanth Dwar. These are the pillars, which were referred at picture No. 50 to 54. In these pictures, picture of Hanumanji is appearing at the places where Sindoor is painted.

Learned advocate cross-examining has shown the picture No. 104 to 108 of this album to witness. Witness said that pillars appearing in these pictures were in the inner part of the disputed bhawan. An idol is appearing in picture No. 104, 105 and 108. In picture No. 108, there is an idol of Hanumanji on one side and an idol of Shankarji on the other side. An idol of Hanumanji is appearing in picture No. 105. An idol of Ram Darbar is appearing in picture No. 104. An idol of Hanumaji is appearing in the picture. Ram darbar is above the idol of Hanumanji. Something like an idol is appearing in picture No. 106 and 107, but it is not clear. Ramdarbar is at the upper part in picture no. 104. Ramdarbar is appearing below at the place where chopai is written in picture No. 104. Ramchanderji, Lakshmanji, Bharatji Satruganji and Sitaji are appearing in Ramdarbar. Pillar appearing in picture No. 104 was at northwest wall. It is not correct that the pillar appearing in picture No. 104 was on the middle

door at the outer place. It is not correct that there were no idols in all five pillars and I am giving false statement.

Learned advocate cross-examining, Advocate drew the attention of witness towards picture No. 109 to 114 of the colour album. Upon seeing the pictures witness said that idols are appearing in picture No. 109, 110, 111, 113 and 114. An idol of Hanumanji is appearing in picture No. 111 at a place where Mahabiree is painted. An idol of Hanumajji and an idol of Sahankarji above the pitchers is appearing in picture No. 109. A human figure is appearing in picture No. 109. This is a figure of Ramchanderji.

Learned advocate cross-examining, Advocate drew the attention of witness towards a part of his statement recorded on 23.3.2005 at page No. 143, which starts from last but six lines to first but eight lines at page No. 144 that "In the middle door the disputed bhawan... I could not recognized, because many days have been passed away." Witness in reply to a question, after reading that part said my statement is correct.

Question: According to your above statement, when you used to go to disputed bhawan in 1962 there was only an idol of Hanumajji in the part below the three dome's bhawan, was seen by you. But today you are saying that an idol of Hanumanji is there on more than one pillar. What you have to say in this regard.

Answer: This is because that there is a difference in the idols appearing in picture and the idols, I have seen earlier and it may be possible that a picture of one pillar might have been given in various pictures of this album.

Learned advocate cross-examining drew the attention of witness towards picture No. 115 to 120 of the colour album. Witness in reply to a question said that an idol of Hanumanji is appearing at the pillar, where sindoor

is painted, in picture No. 115. An idol appearing at the pillar in picture No. 116, is not clear. It appears that the pillar appearing in picture No. 117 is the same pillar, which is appearing in picture No. 116. In my view same pillar is appearing in picture No. 116 ad 117. No painting is appearing in the pillars appearing in picture No. 118 and 119. In picture No. 118, there appears a dome where an idol is appearing at but whose idol is it, it is not clear. The same situation is in picture No. 119. In picture No. 119, there appears to be something like Garur in the upper part. Besides, small idols were engraved with. It is not clear whose idol is this. Pillars appearing in picture No. 120 are painted with sindoor, where idols are appearing. This idol appears to be an idol of Hanumanji. In picture No. 116, photo of Ramlalla is in the wooden-glass frame. This picture is at western wall of the disputed bhawan. It is not correct to say that this picture was towards eastern wall. Picture No. 116 and 117 are of same pillar. Picture No. 115 and 120 are of the same pillar. In picture No. 118 and 119, upper parts of the pillars are appearing but these two pictures are of one pillar. Similarly, there are three different pillars, appearing in picture No. 115 and 120. It is not correct to say that picture No. 116 to 120 are the picture of one pillar. These were under middle dome. It is not correct to say that pillar appearing in picture No. 115 was under the middle pillar and pillar appearing in picture No. 116 to 120 was under southern arch of the disputed bhawan. The Learned advocate cross-examining invited attention of the witness towards picture No. 119 to 126. Witness upon seeing it said that idols are appearing in picture No. 121, 122, 123 and 124. Idols are not appearing in picture No. 124 and 125. An idol of Hanumanji is appearing in picture No. 121. This idol was at a place where sindoor is painted. An idol of Hanumanji is appearing at a place where sindoor is

painted but at another place where sindoor is painted, idol is not clear. In between these two places, at a patti, Ramchanderji with a bow is appearing. There are three idols in picture No.121. Among them I am recognizing two idols, I am not recognizing the third one. The pillar appearing in picture No. 121 was at western wall under the mid dome, of the disputed bhawan. It is not correct to say that this pillar was at a eastern wall under southern arch of the disputed bhawan. Sindoor is painted in picture No.122 but idol is not clear. Picture No. 122 and 123 are of one pillar. An idol is appearing in picture No. 126 but whose idol is this, is not clear. Photo of pillar appearing on picture No. 121 to 126, was taken from different angles, therefore it is not clear if these are the picture of one pillar or different pillars. Pillars appearing in picture No. 121 to 126 were under an arch at western wall of the middle dome. These pillars were under the southern arch. Learned advocate cross-examining drew the attention of the witness towards picture No. 127 of the album, witness after seeing it said that sindoor is appears to be there but whose idol is on the pillar, is not clear. This pillar was on the eastern wall of southern arch. A picture is appearing in picture No. 128 and 129; I am not able to recognize this picture. This picture was in the western wall of the southern dome. Upon drawing the attention of witness towards the picture No. 136, 137, 138 by the Learned advocate cross-examining, witness said these pillars are painted with sindoor. It is not clear, that idols of which deities are on it. Pillars appearing in these pictures were under the northern arch of mid dome. It may be possible that picture No. 136 to 138, are of a same pillar. It is not correct to say that the pillar was at a western wall of the door under southern wall. Learned advocate cross-examining drew the attention of the witness towards picture No. 139 to 144. Witness, after

seeing them said that idols are appearing in picture No. 140, 141, 142 and 143. No idol is appearing in picture No. 139 and 144. An idol of Hanumanji is appearing in picture No. 141. Whereas, an idol appearing in picture No. 140, is not clear. Similarly whose picture is appearing in picture No. 142 is not clear. Picture of one pillar is appearing in picture No. 142 and 143. Picture No. 139 to 144 are the pictures of same pillar. Pillar appearing in these pictures was in the western part of southern arch. Same pillar is appearing in picture No. 139 to 141, but its photo was taken from different angles. It is not correct to say that both these pillars were in the western wall of the southern arch. I think the picture No. 141 to 144 were the picture of same pillar. Upon seeing the picture No. 145 to 147, of the album, witness said an idol of Ganeshji is appearing in picture No. 146 and 147. This picture is appearing at a place where sindoor is painted. Picture No. 145 to 147 is the picture of a same pillar. Learned advocate cross-examining drew the attention of witness towards picture No. 157 to 162 of this album. Witness after seeing these pictures said no idol is clear in picture No. 157, 158, 159, 160, 161 and 162. This is the picture of the upper part of the pillar. Picture No. 157 to 162 is the picture of a same pillar. This pillar was under the eastern part of the northern dome. It is not correct to say that picture No. 157 to 161 are the picture of a same pillar and a picture No. 162 is the picture of other pillar. It is not correct to say that these pillars were in a western wall under northern arch. Upon showing the picture No. 163 to 167 to witness, he said it is not clear if an idol is appearing in picture No. 163, 164 and 165. No idol is appearing in picture No. 166 and 167. Picture No. 163, 164 and 165 are the picture of a same pillar. Picture No. 166 and 167 are the picture of a same pillar. These pillars were in the western wall under northern arch of the disputed bhawan. Upon showing the

picture No. 176 to 180 of this album, witness said that pillars appearing in picture No. 176 and 177 are painted with sindoor. No idol is clear in this picture. Picture was taken from upper part in the picture No.178 and 179. No idol is there. An idol of Durgaji is appearing in picture No. 180. Picture No.176 to 180 are the pictures of the same pillar, taken from different angles. This pillar was in the western wall of southern arch under southern dome of the disputed bhawan. It is not correct to say that pillars appearing in these pictures were on eastern wall under northern arch. Learned advocate cross-examining drew the attention of witness towards the picture No.181 to 186. Witness said an idol is appearing in picture No.181,182 and 183. This idol is at a place where sindoor is painted, but whose idol is this it is not clear. No idol is appearing in picture No. 184 to 186. Picture No. 181 to 186 are the picture of same pillar. This pillar was in the western wall under middle dome. It may be possible that picture No. 181 is the picture of one pillar and picture No. 182 to 186 are the pictures of another pillar. It is correct to say that these pillars were on the eastern wall of northern arch.

Verified the statement after reading

Sd/-

Mahant Dharmdass

24.3.2005

Typed by the stenographer, in the open court as dictated by me . In continuation to this, the suit may be fixed for further cross-examination on 29.3.2005. Witness to be present.

Sd/-

(Hari Shankar Dubey)

Commissioner

24.3.2005

Before: Commissioner, Shri Hari Shankar Dubey,
Additional District Judge/Officer on special
duty, High Court, Lucknow Bench, Lucknow.

Dated 29.3.2005

DW. – 13/1-1, Mahant Dharmdass

(Commissioner appointed vide order dated 11.3.2005
passed by Hon'ble Full Bench in Other Original Suit No.
4/89)

(In continuation to dt. 24.3.2005, cross-examination of
witness by Shri Zaffaryab Jilani, Advocate, on behalf of
plaintiff No. 1, 6/1 and 8/1, Sunni Central Board of Wakf,
Ziauddin and Maulana Mahfuzurrahman continued.)

Learned advocate cross-examining drew the
attention of witness towards pictures of colour album
document, picture No. 187 to 192. Witness after seeing
these pictures, in reply to a question said that idols are
appearing in picture No. 187, 188, 189, 190, 191 and 192.
Idols of Sheshnag are appearing in picture No. 191 and
192. An idol of Hanumanji is appearing at a place where
sindoor is painted, in picture No. 187 to 190. Pillars
appearing in these pictures were under the middle dome of
the disputed bhawan. But I cannot say at what place this
particular pillar was. An idol of Sheshnag is on the pillar
appearing in picture No. 191 and 192. Picture No. 187,
190, 191 and 192 are the pictures of same pillars.

Pictures appearing in picture No. 188 and 189, are
the pictures of same pillar. Again said that pictures No.
187 to 197 are the pictures of same pillar, photo of which
was taken from different angles. It is not correct to say
that pillar appearing in picture No. 187 was under an arch

in between northern and middle dome. It is also not correct to say that pictures No. 188 to 192 are the pictures of another pillar. Learned advocate cross-examining, Advocate drew the attention of the witness towards picture No. 193 to 198. Witness after seeing these pictures said that idols are appearing in the picture No. 193, 194, 195 and 196. No idol is there in picture No. 197 and 198. An idol of Hanumanji is appearing at the place where sindoor is painted, in picture No. 193 to 196. Scene appearing in picture No. 195 and 196 are the picture of same pillar. An upper part of another pillar is appearing in the pillar appearing in picture No. 197, 198. Pictures appearing in pictures No. 193 and 194 are the pictures of same pillar. Pillars appearing in picture No. 193 to 198 were under the dome of the disputed bhawan. I cannot say at which particular place, a particular pillar was. It is correct to say that pillar appearing in picture No. 195 and 196 was at the door under the middle dome of the disputed bhawan. This pillar was in the inner part of the middle door. It is correct to say that pillars appearing in picture No. 193 and 194 were in the inner part at middle door. In the middle door, there were two pillars in the inner part. It is not correct to say that only one pillar was there at the middle door in the inner part. There was only one pillar in the north of the middle door and one more pillar in the south, in the inner part. I cannot say at which places the pillars were in the disputed bhawan, which were appearing in picture No. 193 to 196. It is correct to say that the pillar appearing in picture No. 195 and 196 were in the inner part of the middle door. My statement above that pillar appearing in picture No. 195 and 196 was in northern side of the middle dome is not correct. It was in the outer part of the middle dome. Learned advocate cross-examining drew the attention of the witness towards the picture No. 199 and 200 of the album. Witness after seeing these pictures said

that an idol of God, Ganesha is appearing at the place where sindoor is painted. Picture No. 199 and 200 are the picture of the same pillar. Pillar appearing in picture No. 199 and 200 was under the part of the middle door of the disputed bhawan. Lower part of the pillar is appearing in the picture No. 195 and 196 at a place where sindoor is painted. An idol of Hanumanji is appearing in picture No. 195 and 196. An idol of Ganeshji is appearing in picture No. 199 and 200. It is correct to say that picture No. 195, 196, 199 and 200 are the picture of the same pillar and place. In picture No. 199 and 200. Idol of Hanumanji and Ganeshji look like same after painted with sindoor. Ganeshji is not appearing in picture No. 195 and 196 because picture No. 195 and 196 were taken from different angles. Hence the difference. The statement made by me above that picture No. 195, 196, 199 and 200 are the pictures of one pillar and one place, is correct. Picture of one place was taken from different angles. Because picture was taken from different directions, Hanumanji in two pictures and Ganeshji in two pictures are appearing to me at one particular place and at one particular pillar. It is not correct to say that I am giving totally false statement that no idol is appearing in picture No. 195, 196, 199 and 200. It is not correct to say that no idol is appearing in any pillar in the pictures shown to me and I am giving false statement in this regard.

The pillars of Kasouti stones, wherein idols were appearing were brought by Hanumanji from Lanka during the time of Ramchanderji. Earlier these pillars of Kasauti stones were in Ayodhya and were taken away by Ravana to Lanka. Hanumanji brought these pillars back to Ayodhya. The paintings appearing in these pillars were before the time of Ramchanderji. These pillars were constructed by the ancestors of King Dasrath. Such type

of pillars were more than 14 in number. But how much more, I cannot say. Whether number of such pillars were 84 or not. I cannot say if I had heard about it. Hanumanji had brought these pillars from Lanka, lakhs of year back. As per my knowledge Ramchanderji was crores of years back.

Question: Do you mean to say that above 14 pillars fixed in the disputed bhawan were there for crores of years?

Answer: These pillars were used to be fixed and removed from time to time, whenever any part of the bhawan was constructed, these were refixed there because these were holy pillars. Volunteer : these pillars were assumed as deities. The pillars, which were there for crores of year back, are kept in the workshop after the incident of 6th December, 1992. This workshop was constructed by the Government in the rear part of Manas Bhawan. It is not correct to say that 14 pillars are not kept in the workshop constructed by the Government in the rear part of the Manas Bhawan. Volunteer : he couldn't say if these pillars are 14 in number or less. It is not correct that there are, at the most four-five pillars in the workshop constructed by Govt. in the rear part of Manas Bhawan. As per my knowledge 14 pillars of black stones are still safe in the disputed bhawan. I have no knowledge where these are kept safe. It is not correct to say that "Kar-Sewak" have taken away some parts of the pillars by breaking the pillars fixed in the disputed bhawan, with them. Shri Pawan Pandey, was an Ex-MLA from Distt.

Faizabad and was affiliated to Shiv Sena. I have no knowledge about the statement given by him that "he has taken one pillar from among the above 14 pillars, with him." I have no information that Pawan Pandey has made such statement or not, I have no knowledge if there was an idol of God Shri Krishna, among the idols which I have seen on the pillars or not. I have not tried to recognize the idols. I used to bow before the idols, after seeing them.

Whenever I come across any idol, I used to bow before it. I give individual importance to the idols made from stone, earth, paper and clothes. However, I give equal importance to the idols made of stone, metal and wood. Idols made of earth are generally not kept in the temple. An idol of clay, in the village, cities and in houses is worth of worship in accordance from their point of view. So far I knew, idols and paintings engraved on the pillars of black stones of Kasauti fixed in the disputed bhawan were there since beginning. No changes were carried out on these pillars, after these were brought by Hanumanji from Lanka. I have stated that there were idols of Jai-Vijay on the pillars fixed at Hanumanth dwar. Besides, there were no idols of Jai-Vijay on any other pillars. Volunteer : that idols of Jai-Vijay are fixed at the main gate because Jai-Vijay were the watchmen of God. At the time, when pictures appearing in album document No. 200 C-1 and 201 C-1 were taken I was with the team which was taking the pictures. Learned advocate cross-examining drew the attention of witness towards picture No. 201 of colour album, witness after seeing the picture said that southern door with grill of the disputed bhawan is not appearing in the picture. In picture No. 201, eastern door of wall with grill is not appearing. In this picture, door at north-south

wall with grill is appearing in the picture. I cannot say if north door or southern door at the wall with grill is appearing in picture No. 201. Wall with grill was at two places in the disputed bhawan. One is in the north-south side and other is in the east-west side. It is correct to say that there was no door in the wall with grill, which was in east west, north direction. East-west wall is appearing in picture No. 70. Wall with grill in the east-west side is appearing in picture No. 70. The same wall is appearing in picture No. 69. A tin shade in the north of the wall with grill is appearing in picture No. 69 and 70. The tin shade is appearing on the western side of the Singh Dwar. A throne is appearing under a tin shade in picture No. 69 and 70. This is the same throne, which is appearing in picture No. 71 and 72. Kaushalya Rasoi is written above the throne in picture No. 71 and 72. It is not clear if Sita Rasoi is written at the throne or not. Again said that Sita Rasoi is not written in the picture No. 71 and 72 but it is called Sita Rasoi. I have been seeing this throne since 1962. This throne was there before. This throne is made of wood. Picture of two fishes is appearing at the throne. Chulaha, Chowka and footprints are appearing in it. All these are on a platform. Throne is also kept on this platform. This platform is 10-12 feet in length and width. Platform is at height of one feet. Marble stone on the platform was there, before I came to Ayodhya. No stone was fixed on it after 1962. Whether any stone was fixed in the disputed premises after 1962 or not, I have no knowledge about this. Chowka, Belan was on the throne appearing in picture No. 71 and 72. Besides, footprints of God were there. Volunteer : that this footprint was made of copper. Footprints kept on the throne were different from the footprints kept on the chabutra. There were four footprints in the throne. Among these four footprints, two footprints were of God Ram and two were of Sitaji.

Footprints on the chabutra, outside of the throne are 4 in number, two were of God Rama and two were of Sitaji. Among the four footprints on the chabutra, two were of Ramchanderji and two were of Sitaji. The footprints of both were of their childhood. Footprints on the chabutra were made of marble stone and the footprints on the throne were made of Tamra-patra. I cannot say, how old were the footprints, kept on chabutra and on the throne. These footprints were there from the time of Ramchanderji. Volunteer : that all the characteristics of the footprints of God Rama, were available on the footprints made on the chabutra and throne. These characteristics include Gada, Padem, Matsya, Dhanus-Ban etc. in all 10 characteristics. Volunteer : that the characteristics of right feet of Ramchanderji were also in the left feet of Sitaji. There were 10 characteristics visible on the foot-print. Footprint was 6 inch in length. The footprints kept inside were also 6 inch in length. The characteristic of Ram's right feet were same as Sita had in her left feet and characteristic of Rama's left feet were the same as Sita had in her right feet. My Guruji had told me that these foot-prints had been there since ancient time. My Guru had told me that there footprint had been there since ancient time i.e since the time when King Vikramaditya has renovated the temple.

The belan, which was kept on the throne, was made of marble stone. I cannot say how old it was but it was from the time of Ramchanderji. This was of the period of Vikramaditya. I cannot say for which Vikramaditya's period this belongs to but it was of the period of Vikramaditya who had renovated the temple. As per my study, the same Vikramaditya had constructed the temple about two thousand years ago. Again said, that he had renovated the temple. Kaushlya, as shown in picture No. 71 and 72 is

there from the time of Vikramaditya. Again said that it was damaged and repaired at a number of times after it was constructed during the period of Vikramditya. I have no knowledge that the throne made of wood at the time of Vikramaditya, was continued to be there or not but the throne of wooden, continued to be made. Lower part of the throne, which is appearing in picture No. 71 and 72, is made of stones covered by clay and upper part is of marble stone. My Guru had told me about this chabutra that it is from the ancient time but did not said when it was constructed. About chabutra and Kaushalya I have read in the books. I have read in the books that birth of God' Rama took place at a distance of 20 Dhanush in the south of Sita Rasoi. Sita Rasoi, I mean the temple situated in the north of the road in north of disputed bhawan. I supposed it a Sita Rasoi. Sita Rasoi situated in the north of a road in the north of disputed bhawan was from the time of Vikramditya. Later it was repaired-damaged with the passage of time. Volunteer : that it was repaired from time to time. A place on that temple is known as Sita Rasoi. Volunteer : that this temple is also known as Gudartad mandir. The main gate of this temple is in the eastern side. On entering from the main gate, Sita Rasoi is at a distance of more than 100 feet. Than said, Sita Rasoi is at a distance of about 50 feet from the main gate. Sita Rasoi, is in the north side in the temple. One dhanush is equal to quarter to two yards, equal to five feet approximately. 20 dhanush is equal to 105 feet. I have stated in my statement above that the distance in between Sita Rasoi Mandir in the north of disputed bhawan and middle dome of the disputed bhawan is twenty dhanush. I have read in a book called Vedic math that one dhanush is equal to five feet. In Ramcharitmanas there is no mention of distance of any place from the middle dome of the disputed bhawan. I have read the Vedic math book. Vedic math is taken from

Vedas. Vedas are the creation of Brahma. I have read Ved math from Vedas. I do not remember the name of book from where I have read the Vedic math. I have not read the book called Vedic-math. Vindeshwari Prasad Shukla was my Guru in this regard.

I have read Vedic math individually. I have read Vedic math from Vindeshwari Prasad Shukla, who lives in Raj Sabha Mandir. I have studied

Vedas a little, during which I read the Vedic Math. Vedas are in Sanskrit. I have read Sanskrit a little. I can read Balmiki Ramayana but I have never read it. Vedas are four:- Sam Veda, Yazur Veda, Rig Veda and Atharva Veda. Vedic Math is the subject matter of Atharva Veda. About the length of dhanush, I have been told by Vindeswari Prasad Shukla a Brahmachriji from the references taken from Rudryamal. I have read about dhanush in the books. I have not read myself in this connection, I was told by Vindeswari Prasad Dubey. The book, Rudryamal is in Sanskrit. I have read the book Rudryamal but not in full. I have read the Rudryamal's starting portion. I have read in that one dhanush is equal to five feet. It is not like that a dhanush is equal to thirty feet. I did not remember the couplet given in the starting portion of Rudraylmal, wherein measurement of dhanush is written. Rudryamal is a creation of Vedvyas. Vedvyas was during the time of God. According to me Rudryaml is a Puran. Puran are 18 in number. I do not know if Rudryamal is included in these 18 Purans or not. I know the name of some Purans, like Shiv Puran, Brahm Puran, Matsya Puran, Vevshwa Puran etc. It is not correct to say

that I have not read the book Rudryamal. It is not correct that no measurement of dhanush is given in Rudryamal.

Western bank of Saryu is at a distance of about one kilometer from the disputed site. On the western bank, Brahmkund is situated. Sumitra Shrine and Kaushliya Shrine are also there. Than there is a Kekei Shrine. Kekei Shrine is situated on the north of Brahmakund. Prahlad Ghat is in the south of Brahmkund. Vasisth Kund is situated at south-east corner of Brahmkund. Vasishth Kund is at a distance of about one kilometer from Brahmkund. Vasishth Kund is at a distance of about six and half hundred feet from the disputed bhawan. Vasisth Kund is situated at a west-south corner of the disputed bhawan.

Learned advocate cross-examining drew the attention of witness towards page document No. 279 C-1/202 of the exhibit OOS 5-3. Witness after seeing it said, that a place called a Pindarak has been shown on this map. Pindarak is not a name of any place, it comes under acquired land. There is a pillar at a place called Pinarak and Pinarak Shrine is written on it. This pillar is made of stone and is among the one hundred fifty pillars. Britishers fixed these pillars in 1901. Pillar at Pindarak is like the pillars in disputed site and Ramjanambhoomi daily journey is written on which. Pindarak falls under the 67 acre acquired land, which was acquired in 1993. Below the Pindarak, Vighnesh is written in document No.279 C-1/2. There are Vighnesh or Vighneshvar place in Ayodhya. This place is situated at Kakrahi Bazaar in Faizabad district. I have no knowledge if the place called Vighnesh is in Ayodhya or not. Place called Vignesh at Kakrahi Bazaar is called Jharkhandi place at present. This place is there even before the birth of Ramchanderji and is very ancient.

It is at a distance of four thousand dhanush from the disputed site and is situated at east-north corner of the disputed site. Ratan Mandap and Kanak Bhawan places are in Ayodhya. No place in between Ratan Mandap and Kanak Bhawan is in my knowledge. Ratan Mandap, Hanumangarhi and Kanak Bhawan are not under the acquired area. These three are in the north-east corner of the disputed site. Hanumangarhi, is situated in the east of the disputed site. Kekei Bhawan is at a distance of 24 dhanush at east-north corner of the disputed bhawan. Kaushalya Bhawan is in the eastern side from the disputed bhawan and slightly towards north, adjacent to Kekei Bhawan. Sumitra Bhawan is at east-south corner from the disputed site. It is at a distance of 24 dhanush from the disputed bhawan. Sumitra Kund,, Koshaliya Kund and Kekei Kund are at one place. These are still there. All these three places are situated in the south of Darshannagar. These three places are at a distance of five-six kilometer from the disputed bhawan. This place is situated in southeast from the disputed site. Volunteer : that all these three places have a pillar of stone. Pillar of Vigneshwari is at Kakrahi Bazaar and numbered as 100. Vasishtha Kund also had a similar pillar, the number of which is 20, Manas Bhawan is at a distance of 100 yards in the east of disputed bhawan. Kaushaliya Bhawan is at a distance of about 100 yards from the northern gate of Manas Bhawan. At present there is a place known as Dasrath Mahal in Ayodhya. This place is at the east-north corner of the disputed bhawan.

Verified the statement after hearing

Sd/-

Mahant Dharmdass

29.3.2005

11083

Typed by the stenographer, in the open court as dictated by me . In continuation to this, the suit may be fixed for further cross-examination on 11.3.2005. Be present on 30.3.2005.

Sd/-(Hari Shankar Dubey)

Commissioner

29.3.2005

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Before: Commissioner, Shri Hari Shankar Dubey,
Additional District Judge/Officer on special
duty, High Court, Lucknow Bench, Lucknow.

Dated 30.3.2005

DW. – 13/1-1, Mahant Dharmdass

(Commissioner appointed vide order dated 11.3.2005
passed by Hon'ble Full Bench in Other Original Suit No.
4/89)

(In continuation to Dt. 29.3.2005, cross-examination of
witness by Shri Zaffaryab Jilani, Advocate, on behalf of
plaintiff No. 1, 6/1 and 8/1, Sunni Central Board of Wakf,
Ziauddin and Maulana Mahfuzurrahman continued.)

Kaushaliya Bhawan is situated towards north from
the northern phatak (gate) of Manas Bhawan. Area of
Kaushaliya Bhawan would be 100 feet x 60 feet. Kekei
Bhawan is bigger than Kaushaliya Bhawan. Area of Kekei
Bhawan would be approximately 80 feet x 150 feet. There
are idols of Kaushaliya, Ram-Lakshman and Janakiji in
Kaushaliya Bhawan. Besides, God Saligram is also there.
Idols of Lakshmanji, Ramchanderji, Bharatji and
Satruganji are there in Kekei Bhawan, besides God
Saligramji. There are a number of idols in Dasrath
Bhawan. Among them, idols of Ramchanderji with bow-
arrow, Sita Mata, Lakshmanji, Bharatji, Satruganji and
Ramprasadacharyaji are there. Ramprasadacharya was
the founder of Dasrath Mahal (Palace) i.e., Bara Sthaan
and a pioneer of Bindu Sect. I have no knowledge in
which period Ramprasadacharyaji was.
Ramprasadacharyaji died 200 years back. In
Hanumangarhi, main idol is of Hanumanji. Besides, idols
of Ram darbar, Durgaji, Narsingh Bhagwan, Bharat,

Satrughan, Shanidev Bhagwan are there. Idol of Hanumanji is in a separate temple. Narshingh Bhagwan and Ram Darbar are in separate temples. Idol of Hanumanji is on the throne. This throne is about 2 feet in height. I cannot say if the throne is made of wood or metal. I live at a distance of 30-40 feet from the place where idol of Hanumanji is in Hanumangarhi. I see an idol of Hanumanji daily but I am bound not to tell the arrangements in respect of idol of temple. An oath was administered to us as a tradition. An oath was administered to me by my Guru.

Question: From which material the throne is made of in the temple. How the disclosure of management?

Answer: It is not allowed to disclose the detail about the articles kept in the temple. Thus this question is related to the management.

Question: Do you know from what material the throne on which an idol of Hanumanji is kept is made of i.e. wood, stone or cement. What you have to say in this regard.

(Upon this question, learned Advocate Shri Ajay Kumar Pandey on behalf of Plaintiff of Other Original Suit No. 5/89, raised an objection that this question is not related to any point of the suit. Hence, such question should not be allowed.)

(Learned advocate cross-examining has replied to the objection that from such type of question it would be ascertained if witness is giving correct or false statement. Hence this question is necessary.)

Answer: I know, from what material the throne of an idol of Hanumanji is made of. But I cannot reply the question as I am bound by an oath.

Question : You want to conceal this information knowingly that from what things the throne, on which an idol of Hanumanji has been kept, is made of. Do you know this action of your is a contempt of court?

(Upon this question, learned Advocate, Shri Ved Prakash, on behalf of plaintiff of Other Original Suit No. 5/89 has raised an objection that it is not proper to ask a question again and again, even after it is replied to and to threaten for contempt of court. Hence such type of question should not be allowed)

Answer : It is not a contempt of court if I do not reply to this. This is my personal religious matter and this question does not relate, in any way, with the case I am deposing in. An idol of Hanumanji, kept in Hanumangarhi is about three feet in height. It is made of red stone. The area of Grabh Grih, where this idol is kept is 25 feet in length and 25 feet in width i.e its length and width is equal.

There are two doors in the temple of Hanumanji. One door is in the north and other is in the south. Devotee takes darshan from northern side. Southern door is meant for Priests. Parikarma of the temple of Hanumanji is held separately and Parikarma of other temples is held separately. Hanumangarhi temple is very ancient. When Ramchanderji went to his abode Saket he gave the Royal throne of Ayodhya to Hanumanji. Since than this temple is

in existence. Temple of Hanumangarhi was made by Kush, for the first time. This temple was constructed after Ramchanderji went abode. After Ramchanderji, Hanumanji became a king of Ayodhya. Hanumanji is still a king of Ayodhya because he is immortal. Kush, on the direction of Hanumanji used to run the kingdom. Kush used to run the kingdom by taking direction from his foot-prints and by sticking his photo. Hanumanji was himself living in Ayodhya at that time. Hanumanji, during his reign, had made Kush a king of Kushwati as he himself was busy in devotion and adoration. So Kush had run the kingdom in accordance with his directions. It is correct to say that Ramchanderji, during his period, had made his sons Luv and Kush king of separate kingdoms but under supervision and leadership of Hanumanji. Kushwati Kingdom was at a distance of 500 - 600 feet from Ayodhya. Kushwati is also called Kushinagar of Avantika. Kush, in addition to his Kingdom, also look after the administration of Ayodhya. Kush for the first time constructed Hanumangarhi at the place where it is situated today. An idol, which is at present in Hanumangarhi, was also constructed by Kush. Other idols, such as Ramdarbar etc. in Hanumangarhi, were installed later, from time to time. The length and width of the present Hanumangarhi premises is somewhat less than the length and width of then Hanumangarhi premises. I cannot say what thing of the period of Kush, is there at present. Kush has ruled for a long time but for what time, I cannot say.

Question: Whether temple of Hanumangarhi has been referred in "Ramcharitmanas" written by Tulsidass or in Valmiki Ramayana?

Answer: There is no reference of Hanumangarhi temple in "Ramcharitmanas" and "Valmiki Ramayana" but Hanumanji was referred in there. Tulsidass has written a book 'Hanuman Chaleesa' about Hanumanji. There is a reference of Shri Hanumangarhi temple in "Hanumn Chaleesa".

I have referred Bhandargrih, Sant Niwas in para 6 of my Examination in chief affidavit. Bhandargrih was 25 feet in length, north to south and ten-fifteen feet in width, east to west. It was covered by tins. There are two doors in it. These doors were made of tin. Bhandargrih was made of tins, supported by woods. There was a tin at the eastern wall of the disputed bhawan. There was no wall in the Bhandargrih on the western, northern and southern side. Doors were fixed in the wooden pillars. Utensils etc. were kept in the area of 10 x 10 feet in length in the northern side of Bhandargrih and food etc. was cooked therein. In the portion, 15 feet in length, Mahatamas used to live in and sleep. Sant Niwas was in the south of Bhandargrih. Saint Niwas was in between Bhandargrih and eastern door. Sant Niwas was about 15 feet in length north-south and 10-15 feet in width. Sant Niwas also had doors and tin shades. This door was towards west. There was no door towards south. Sant Niwas had a floor and a wooden structure was kept on it. There was an arrangement for sleeping on the floor. Clothes etc. of Sadhus were kept in Sant Niwas. The two chokies kept in Sant Niwas were in the shape of box. There was an iron-steel almirah in it at the eastern side in Bhandargrih, wherein utensils etc were kept. This almirah had no doors. Bhandargrih and Sant Niwas was never repaired before me. Bhandargrih and Sant Niwas were used by Sadhus upto 1962. At the time when a portion of Ramchabutra was attached in 1982, priests and Bhandari used to live there. After it was

attached in 1982, besides Jagdish Dass, Bhandari (Store keeper) and worker were living in Sant Niwas, but their name are not known to me. They were called Bhandari and Kothari. Wall with grill of the disputed bhawan was at a distance of ten to fifteen feet from western door. Wall with grill was constructed during the period of Britishers, after 1825. There was a large disturbance in Ayodhya after 1825 and thereafter the wall with grill was constructed. I have not read about it in any book when the wall with grill was constructed. There were two phatak (doors) in the wall with grill, from north towards south. In the wall with grill one phatak was in the north side, at a little distance from Kirtani Chabutra. Second phatak was ahead in north side. There was no phatak in the south side.

Learned advocate cross-examining, Advocate drew the attention of witness towards picture No. 20 of black and white album document No. 20/C-1. Witness in reply to a question said that these are not a picture of two fishes, but a picture of lions. Because this picture was taken from a distance and from a specific angle, fish like features are appearing due to muddle of photo.

Learned advocate cross-examining, Advocate drew the attention of witness towards picture No. 39 and 40 of the colour album document No. 200 C-1. Witness after seeing these picture in reply to a question said that these pictures also have the same muddle which I have stated about above pictures. Actually no fishes are there in these pictures.

Attention of witness was invited towards para – 8 of his Examination in chief affidavit by the Learned advocate cross-examining witness said Ramlalla appeared under the mid dome, which is celebrated as birth day

celebration. Ramlalla was born in 1949 and also lacs of years before. Kaushaliya gave birth to Ramlalla Lacs of years back. In 1949, Ramlalla appeared due to asceticism by Baba Abhiramdass. We people, call it "taking birth". In 1949, bith of Ramlalla was in the form of appearance. His birth, lacs of years back is also called appearance. In 1949, his appearance took place in Brahm Muhurath, (early hours of the morning) after 3:00am. Whereas Kaushalya gave birth to Ramchanderji at 12 noon i.e. at the mid of day. Sita Koop is at a distance of twenty-twenty five feet from eastern door of disputed premises. Sita koop is ever existent. Volunteer : a stone, numbered as three is fixed there. Sita Koop was constructed during the period of Ramchanderji. This koop was at the same place during the period of Ramchanderji, but I cannot say whether it was in the same form or not. Water in Sita Koop is available at the depth of about thirty feet. At present it is made of red stones.

I have no knowledge, presently, if red stones are fixed on the walls of koop or not. Red stones are at the chabutra of koop. Stairs were not there on the northern side of the disputed bhawan. Stairs were on the southern side. Road on the north side of the disputed bhawan, heads from Hanumangarhi to Dorahi well. There were stairs for coming to northern side of the disputed bhawan from the road. My statement that there were no stairs on the northern side of the disputed bhawan is correct because I thought that question was being asked about the stairs for going up to the disputed bhawan from inside the disputed bhawan.

Learned advocate cross-examining, Advocate drew the attention of witness towards picture No. 154/5 of the Other Original Suit No. 1/89, Shri Gopal Singh Visharad

v/s Jahoor Ahmad and others. Witness after seeing these pictures said there appears to be a chabutra on the right side and not the graves of Muslims, in this picture, this was a Narad Chabutra. Volunteer : that Pooja-path etc. was held thereon. It is not correct to say that this Chabutra is a grave and there are a number of graves of Muslims in this line. This Chabutra was in square size. This was 10 feet in length and 10 feet in width. There was no such type of chabutra in the side. There were small structure resembling a rounded mass but what was its size, I do not remember. There was no Samadhi on this side but three-four structures resembling to mass were there in the form of round mass. In the north side of the disputed bhawan there were symbolic samadhies of Angira and Markandey in the form of round mass. These samadhies were in the eastern side from the stairs, heading towards the road from the northern door of the disputed bhawan. These samadhies were in the east of stairs. I am not recollecting whether there were samadhies in the southern side of the disputed bhawan or not. I do not remember if there was any other Samadhi or not besides the symbolic samadhies of Markandey and Angira and Narad chabutra on the north of, disputed bhawan. Bodies of concerned Sadhus are not buried in these samadhies. Because at the time of birth of Rama these Sadhus were sitting at the same place. Hence the symbolic samadhies.

I have submitted my Examination in chief affidavit in the court on 10th march 2005. The affidavit was prepared by my Lawyer Pandey ji. I am not recollecting the full name of Pandeyji. He is a son of Shri Krishna Mohan Pandey, Judge. The lawyer Shri Pandey and I have jointly prepared the affidavit. Affidavit was written by lawyer sahib. The contents were dictated by me. But the mistakes

in regard to Harswa and Deergh (mistakes concerning to vowel marks) were rectified by the lawyer. I remember the content of affidavit, but not all the contents.

Learned advocate cross-examining drew the attention of witness towards the parts of the statement made him today, at the page No. 185. "I do not remember if there was any other samadhies or not, besides the symbolic samadhies of Markandey and Angira and Narad Chabutra on the north of disputed bhawan". Witness, after reading this statement said that his statement is correct. However, I could not answer it correctly because I could not understand the question properly.

(Examination in chief affidavit was before the witness.)
Witness said that besides the above samadhies, there were samadhies of Sanat, Sanandan, Sanatan and Sanat Kumar. In the south side, samadhies of Markandey and Angira are there.

Question: You have, just stated that samadhies of Sanat, Sanatan, Sanat Kumar were in the north and Samadhies of Markandey and Angira were in the south side. You have stated this, after reading para-9 of your affidavit, which was opened before you. What you have to say in this regard?

Answer: The question asked for by the Learned advocate cross-examining was a complex question. Hence I could not understand subject matter of question it properly. I have not made the statement after reading it.

I have not stated in my statement made above that samadhies of Sanat, Sanandan, Sanatan and Sanat Kumar were in the north side of the disputed bhawan. I have stated about the symbolic round mass of these sadhus. It is correct that no samadhies were there in the north and south side of the disputed bhawan. However, round mass constructed there were of the deities, which came there for darshan. These symbolic structures were there since the birth of Ramchanderji. Besides, round structure (mass) of Sanat, Sanandan, Sanatan and Sanat Kumar in the north side of disputed bhawan, there was site of Naradji. Besides, I do not remember, if there was a mark of any other sadhu or deity.

Learned advocate cross-examining drew the attention of witness towards the para-9 of his Examination in chief affidavit. Witness after seeing it said that the contents of this para are correct. In this para, I have stated that there were samadhies of Sanat, Sanandan, Sanatan and Sanat Kumar, Gar, Gautam and Sandilya in the north side of the disputed premises. At the time of submission, I could not recollect the name of Sandilya. I have just now said that samadhies of these sadhu were not there. It means, the body of these sadhus were not buried there, but their round mass were constructed there as a symbol. It is not correct to say that there was no samadhy or chabutra of any sadhu on the north and south side of the disputed bhawan, and these were the graves of muslims. Volunteer stated that no grave is constructed at a religious place. I have already stated above in reply to a question about the incorrectness of the statement about the samadhies, I have referred, in the east of stairs meant for going to road from the northern door of the disputed bhawan.

Learned advocate cross-examining drew the attention of witness towards the part of his statement made today in para second at page No. 185 that "in the north side of the disputed bhawan.....these samadhies were in the eastern side." Witness replied after reading the statement that answer to that question was incorrect because I could not understand the question asked for by Learned advocate cross-examining.

Learned advocate cross-examining drew the attention of witness towards the para 10 of his Examination in chief affidavit. Witness said that the contents of para10 are correct. Parikarma mentioned in para 10 is conducted around the entire disputed premises. Parikarma of Ramchabutra is held separately but the Parikarmas of Kaushaliya Rasoi and Shankar Chabutra are not held separately. In the third and fourth line in para 10 of the affidavit, I have referred about an idol of Varah Bhagwan on the wall. This idol was fixed on the wall. This idol was made of red stone. This wall was constructed about two to three hundred years back. This wall was constructed by a Hindu King. Than said this wall was constructed by a Hindu. I do not remember the name of Hindu. Northern wall might have constructed by a person who had constructed the Eastern wall of the disputed premises because these wall resembles to each other. The bhawan with three dome in the disputed bhawan was constructed prior of 1885, as the bricks recovered from here were from Mujeeb Bhatta. The year 1885 was marked on these bricks, in English. The word "Mujeeb" in English was written upon them. Bhawan with three dome was constructed during the period of Britishers. Eastern wall was also constructed during the reign of Britishers. It is not correct to say that an idol of Varah Bhagwan was not in the eastern wall of the disputed

premises rather it was an embankment at eastern wall, which was later on became famous by the name of Varah Bhagwan. Varah Bhagwan is the incarnation of God Vishnu. It was an Avshesha incarnation of Varah God. Avshesh incarnation is a short lived incarnation, for doing an act and after completion of work it disappears. Varha God has not taken birth. He appeared. He appeared in Shookar area. There is an idol of Varah God in Shookar area and an idol of Varha God is therein. The figure of Varah God is a figure of animal, like a pig. There is no temple of Varah God in Ayodhya but his idol is there at every place. There is an idol of Varah God in Kanak Bhawan, made of metal i.e Gold and Silver besides, idols of Varah God is in Dasrath Palace, Chhottee Chhawanni and Badi Chhawanni. Which, other temple in Ayodhya have an idol of Varah God, I do not remember. Volunteer : that an idol of Varah God is found at the place where idols of twenty four incarnations are. Somewhere it is of stone and at some places it is of Gold and Silver. An idol of Varah God is kept at a separate place, every where. This an idol is kept at both the side of gate. It is not kept inside. It is kept outside of the gate everywhere. Only in Shookar area his idol is kept inside the temple.

Verified the statement after reading

Sd/-

Mahant Dharmdass

30.3.2005

Typed by the stenographer, in the open court as dictated by me . In continuation to this, the suit may be fixed for further cross-examination on 11.3.2005. Be present on 31.3.2005.

Sd/-

(Hari Shankar Dubey)

Commissioner

30.3.2005

Before: Commissioner, Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special
Duty, High Court, Lucknow Bench, Lucknow.

Dated 31.3.2005

D.W. 13/1-1, Mahant Dharmdass

(Commissioner appointed vide order dated 11.3.2005
passed by Hon'ble Full Bench in Other Original Suit No.
4/89)

(In continuation to dated 30.3.2005, Cross-examination by
Shri Zaffaryab Gilani, Advocate, on behalf of plaintiff No.
1, 6/1 and 8/1, Sunni Central Board of Waqf, Jiyauddin
and Maulana Mahfuzurrehman, continued).

I know Hazi Mahbood, Mohd. Hashim of Ayodhya
individually. I have intimate relationship with them. I
know Hafiz Akhlaak and Farook Ahmad of Ayodhya or
not, I can say only after I seeing. I do not know Hafiz
Akhlaak whose house, compound, Masjid and graveyard is
on the way to Brahmkund.

Question: You have, in para 23 of your affidavit referred
about some local Muslims who, according to
you, recognized the disputed Bhawan as a
birthplace of Shri Ram and who, according to
you, never recognized the disputed site as a
mosque. Please tell their names and
addresses?

Answer: 15 Muslims, in the proceeding under Section
145 Cr.P.C. have filed an affidavit that disputed
site is RamJanambhoomi. Muslims should not
claim this.

I do not remember the names and addresses of these people. I met the Muslims who have filed affidavit. Among them some people lives in Swargdwari Mohalla, some lived opposite to Kotwali Ayodhya and some people lives in Tedi Bazar. I have no knowledge if the persons, who have filed affidavit in this suit under Section 145 Cr.P.C., are alive or not. I will not be able to tell the names of their family members. None among them had filed affidavits before me. Volunteer : that these peoples had filed affidavits in the presence of my Guru. My Guru had told me that some Muslims had filed affidavits. I know that Hazi Mahboob and Mohd. Hashim had given statement in this suit. I have no knowledge whether Hafiz Akhalaak and Mohd. Farook had given their statements in this case or not. These people, in their statements stated disputed site as Babri Mosque but they had done it with some motivation. A person called Badshah told me that namaz was never read there in the disputed Bhawan in between the period of 1934 to 1949. Besides, the name of other people, who told me about this, is not remembered to me. I will let you know tomorrow. Among the Muslim person to whom I referred in para 24 of my Examination in chief affidavit the name of only one person, Badshah is remember to me and none of others. Witness again said that Jamal Ahmad named person had told me in this regard. Badshah lives in Tedi Bazar. I do not know his father's name. Badshah's House is at a distance of 200 feet in the east of the house of Hazi Mahbood. Badshah works in electricity department. He is about 57 years old. Jamal lives opposite to my temple. His residence is in Avadhpuri colony. I do not know his father's name. He is 55-56 years old. He sells vegetables. In this connection, my conversation with Jamal was held eight to ten years back and two years back with Badshah. In para-25 of my Examination in chief affidavit, I have mentioned about the

conversation held with Ulemas, who do not accept the disputed site as Ibadatgah (Mosque). Among these Ulemas, one is Lal Shahi Kadri, resident of Rasool-e-Kadam, Agra City. Besides, my conversation in this regard was held with Hazi of Rasoli, but his name is not remember to me at present and the names of other Ulemas are not recollecting to me. Hazi of Rasoli, teach namaz in Kanhaipur village. He teaches namaz in two mosques, in the mosque of Kanhaipur and in the mosque of Rasoli. He is serving in Madrassa and teaching namaz. I met him 2-3 months back. I met him for 100-200 times. I do not remember the name of Hazi Sahab. Hazi Sahab told me that namaz couldn't be read at a place where there is an idol.

Hazi Sahab told me that disputed site is RamJanambhoomi. There was no Muslim when my conversation with Hazi Sahab took place. I have not made Hazi Sahab a witness in this suit. Name of Hazi Sahab does not figure in the list of witness, which I submitted. No Muslim figures in my list of witness. There is no specific reason for not giving the name of Badshah, Jamal, Lal Mohd. Kadri and above mentioned Hazi Sahab in the list of witnesses. It is not correct to say that no conversation took place with the Muslims to whome I referred in para- 23, 24 and 25 of my Examination in chief affidavit and I have submitted false facts about this. It is also not correct that I am giving false statement in this regard.

Question: Can you produce any Muslim as a witness in this suit, from your side, to whom you have referred above or the Muslim about whom you have made a mention in para-23, 24 and 25 of your affidavit?

Answer: I can produce them as a witness.

Question: When you will file a list of such Muslims in the Court?

(Upon this question, Learned Advocate Shri Ajay Kumar Pandey on behalf of plaintiffs of Other Original Suit No. 5/89, raised an objection that neither any time limit can be fixed for producing the witness or submitting the list of witness nor one can be forced. Hence such question should not be allowed.)

Answer: Whenever, Learned advocate cross-examining will ask me to produce the witness, I will produce.

Question: If I ask you to produce the list of such Muslim witness to day itself, can you produce?

Answer: Since I am giving statement to day, so I cannot produce the list to day. I cannot produce the list till I am deposing.

I will be able to submit the list only after my statement in this Court is concluded. It is not correct to say that neither I had conversation with the Muslims nor I am able to submit the list of Muslim witnesses and cannot produce them as witness in this Court. The religious books, which I referred in my Examination in chief affidavit and on the basis of which it is proved that the disputed Bhawan is being worshipped as a RamJanambhoomi, are Kavitawali, Geetawali, Ramcharitmanas and Rudryamal. I have the knowledge about these four books only. It is not correct to say that there is no mention of RamJanambhoomi in any book, among them. Disputed

Bhawan, with three domes was from the time of Ramchander ji and it was damaged and repaired from time to time. This Bhawan is ever existent. The disputed Bhawan, as it was on 6th Dec. 1992, was not in similar condition during the time of Tulsidass. I cannot say what was its position during the time of Tulsidass. During the time of Tulsidass there was a very big temple at disputed place; which was repaired during the time of Vikramaditya. During the time of Tulsidass main dome of disputed Bhawan was destroyed. This I am saying from the Historical point of view.

Question: There is not mention in the book written by Tulsidass i.e. Ramcharitmanas, Geetawali and in any other book that temple was destroyed at the disputed place or it was a birthplace of Ramchanderji. What you have to say in this regard?

Answer: Character of Ramchanderji and about his appearance has been described in Ramcharitmanas. Geetawali also have the reference about appearance of God and his birthplace.

Learned advocate cross-examining drew the attention of witness towards the book Geetawali written by Tulsidass document No. 46 C-1 and witness was asked at what place in this book, the birthplace of Ramchander ji was referred to. Witness replied that it was referred in couplet No. 1 at page No. 17. This couplet is about birthplace. Chohadi of birthplace has not been mentioned in this couplet.

Question: Whether any reference about the site of that Bhawan is there in the Couplet?

Answer: Yes, it is mentioned there.

This is mentioned in 12th Sopan at page No. 18 "Yeh Raghubir Charan Chintak----- Tulsidass Tapai". It means the devotee of God are obliged by the darshan of birthplace.

Question: Do you mean that in the above couplet, disputed site has been called a RamJanambhoomi or RamJanambhoomi Mandir?

Answer: Yes. Devotees of God had seen the place at time of his appearance.

It is not correct to say that since I came to Ayodhya, for the first time, in 1962, I cannot say who had been coming there up to 1949-50.

Question: Because you had not came to Ayodhya before 1962 and you were 4 years old in 1950, so on the basis of your individual knowledge you cannot say whether Muslims used to go there or not or read namaz there or not?

Answer: There is nothing to do with age and knowledge. Knowledge is gained from people saying and traditions, so the Learned advocate cross-examining is not correct.

It is not correct to say that Muslims used to read five time's namaz or Jumme Ki namaz, regularly, without any obstacle, up to 22nd December 1949.

Volunteer : British caused Hindus and Muslims to fight against each other.

It is not correct that there was no restrictions on the Muslims to pay visit from both the doors, eastern door and northern door, to the disputed site, up to 22nd December 1949 and the facts mentioned in this regard by me in Para 12 of my affidavit are false. It is not correct that I have not written correct facts in Para 13 of my Examination in chief affidavit that Meerbaki was a Shiya Muslim, whereas he was a Sunni Muslim. Meerbaki had attacked the temple but he could not demolish it. He could not construct a mosque in place of temple. Meerbaki had tried to convert the disputed Bhawan in to a mosque. Later, British by constructing a wall at the disputed site, raised the dispute and hanged a Hindu and a Muslim at that place.

I have read the history book from Babar's time to British time but its name is not remember to me. I had read this book in fifth and sixth class. Except this, I have not read any book of history.

Learned advocate cross-examining drew the attention of witness towards picture No. 107 of Black and White album document No. 201 C-1. Witness after seeing it said that this picture was taken from inside. This picture was taken from Sahan (Varamdah) of Bhawan with dome. Picture of this Sahan is appearing in the picture No. 43 of this album. Three Sepoy in standing position and wall behind them are appearing in this picture. It is not correct to say that there was a place adjacent to wall where pots etc. were kept. It is also not correct that these pots were used for storing the water. It is not correct that I have in my statement written incorrect facts that at the disputed

site, there was no place for storing water of Vazu. The electric connection I referred in para-16 of my Examination in chief affidavit was there before I came to Ayodhaya. The facts I have written in para-18 of my Examination in chief affidavit, that I have written this on the basis of sayings of my Guru and on the basis of public saying and knowledge gained from traditions. There was a maternity house under the mid dome of the disputed Bhawan, which was a part of Kaushaliya Bhawan. In the north of the Bhawan with three dome and under the southern dome there was no maternity home of any queen of King Dasrath. Three dome's Bhawan was a part of Kaushaliya Bhawan. The present Kaushaliya Bhawan in Ayodhaya, is also called Kaushaliya Bhawan. During the period of King Dasrath, Kaushaliya Bhawan of today was under the Kekei Bhawan. In each palace of a queen, there used to be place for maternity home. There was no kitchen, where there was a Maternity home. This place, used to be at a distance.

Question: According to your faith Kaushaliya ji ki Rasoi was not at the place, where throne written with Kaushaliya Rasoi was kept up to 6th December 1992?

Answer: I believe that this place was a Kaushaliya Rasoi. Sita Rasoi is separate. Sita Rasoi was at the place, which was in the temple in the north of road, in the north of disputed Bhawan.

The Janamsthan Mandir, situated in the north of disputed Bhawan, is actually called Sita Rasoi, At that time Sita Rasoi might be at the palace, where Sita lived with Ramchanderji.

Palace of Ramchanderji, of the time of King Dasrath, cannot be called Kanak Bhawan. I know that according to customary faith it is said that Rani Kekei had gifted Kanak Bhawan to Sita at the time of "Muhn Dikhai". Sita lived in Kanak Bhawan. Kanak Bhawan and Kaushaliya Bhawan are two parts of a Palace, which falls under Ramkot Mohalla. There was no Sita Rasoi in Kanak Bhawan. Sita used to cook food in Kaushaliya Bhawan. Palace, where King Dasrath lived, was adjacent to Kanak Palace. The present Kanak Bhawan in Ayodhaya is at a distance of 100 yard from the disputed Bhawan. Kanak Bhawan, at present, is at the place where it was during the time of King Dasrath. It is not correct to say that present Kanak Bhawan in Ayodhaya is at a distance of 100 yards from the disputed site. During the time of Ramchanderji area of Ayodhaya was about 14 Kosh. Area of Ayodhaya was given in Valmiki Ramayana or not, I have no knowledge about this. I have not read the Valmiki Ramayana.

The fact written in Valmiki Ramayana that during the period of Ramchanderji, Ayodhaya was 12 Yojan in length and 3 Yojan in width. One Yojan is equal to four kosh. This means that Ayodhaya at that time was 48 kosh in length and 12 kosh in width. In Valmiki Ramayana Area of Ayodhaya was written as 96 miles in length and 36 miles in width; is correct. Mile of to day and mile during the period of Ramchanderji differs. Mile of today is less in distance. During the period of Ramchanderji mile was more in length. The area of present Ayodhaya is equal to the area described in Valmiki Ramayana. Gomti River is situated at the border of District Sultanpur, at a distance of 96 miles from the disputed site, then said Gomti River in District Sultanpur is at a distance of 75 miles from the disputed site. According to me Gomati River is a part of Ayodhaya. It is in the south of the disputed Bhawan.

Ayodhaya is, towards north of the disputed site, up to Mankapur place. At present Mankapur is under District Gonda. In the south, Ayodhaya is up to Ramsnehi Ghat, which comes under District Barabanki. In east, Ayodhaya is up to Akbarpur; which at present called Ambedkar Nagar. Ayodhaya, in accordance to municipality is spread to 5 kilometers in east west and 5-6 kilometers to north south. It is not correct to say that the present Ayodhaya is very small to the Ayodhaya described in Valmiki Ramayana. I have read the reference about Ayodhaya described in Valmiki Ramayana. This reference in Valmiki Ramayana is in Balkand and Ayodhaya Kand. I cannot say in which Canto, Balkand or Ayodhaya Kand, this reference is. In Valmiki Ramayana, there is specific mention about the place from where Ramchander ji went abode. The fact written in Valmiki Ramayana is correct that entire population of Ayodhaya went abode with Ramchanderji. But the meaning of this fact is that the devotee of Ramchanderji and his councillors went abode with Ramchanderji and rest remained in Ayodhaya.

Learned advocate cross-examining drew the attention of witness towards Salok No. 22 of 109th Canto (page No. -828) of Valmiki Ramayana, document No. 261 C-1/2. Witness said that he could understand the Sanskrit. Translation of Salok No. 22 is correct to some extent. It is not written correct in this that all living creatures were following Ramchanderji. Translation of 28th Salok at page No. 830 of this book, given in this book is correct. The fact written in Valmiki Ramayana is correct that Ramchanderji had taken a dip in Saryu at Guptar Ghat and from there he went to abode. This Guptar Ghat still exists in Ayodhaya. It is at a distance of 6-7 kilometer from Ayodhaya. Volunteer : that a stone is fixed at Guptar Ghat, I do not know its number. This stone is similar to

the stone fixed at RamJanambhoomi. The fact written in Valmiki Ramayan is not correct that Ayodhaya, after the departure of Ramchanderji remained desolated for many days and again inhabited after so many days during the time of Rishabh Dev. Desolation means residents of Ayodhaya were dejected. Volunteer : that Rishabh Dev was descendent of Ramchanderji. It is not correct to say that I am deliberately giving false statement that disputed site is not a Babri mosque. It is also not correct that there was not an idol in the disputed Bhawan up to the night of 22nd December 1949 and no worship was being held there. It is also not correct that disputed Bhawan was being used as a Babri Mosque since its construction and up to 22nd December 1949. It is not correct to say that I, in connivance with the Vishwa Hindu Parishad, giving false statement in this regard.

(Cross-examination by Shri Zaffaryab Gilani, Advocate, on behalf of plaintiff No. 1, 6/1 and 8/1, Sunni Central Board of Waqf, Jiyauddin and Maulana Mahfuzurrehman, concluded)

(Cross-examination by Shri Mustaque Ahmed Siddiqui, Advocate, on behalf of plaintiff No. 7, Other Original Suit – 4/89, begins).

XXX XXX XXX XXX

Bindu Sect is found in India and I myself is from that Sect. Bindu sect is under Ramanandiya Sect. Bindu Sect is not a sub-sect of Ramanandiya Sect, it is under it. Bindu Sect is not a separate and independent Sect. Raunahi place is in Faizabad. This place is in district Faizabad at a distance of 20-22 kilometer. Ramchanderji did not go to forest through Raunahi. Ramchanderji came

out through eastern gate of Ayodhya and went to forest via Darshan Nagar to Chitrakoot. I have heard in this regard that people of Ayodhya and also of Raunahi, were crying at the time when Ramchanderji was going to exile because Raunahi was under Ayodhya at that time and because of this it is called Raunahi.

149 stones, in total were fixed in Ayodhya. These stones were fixed during the period of Britishers. These 149 stones were fixed in Ayodhya, Faizabad and at the places enroute of 84-koshi parikarma. Besides, Kakrahi Bazar of Faizabad City and Guptarghat, stone is also at Jamthara Ghat. Stone is also at Big Devkali. Besides, at Bharatkund and Satrughankund. Writings were engraved on the stones. All the stones were fixed at one time and under one provision. One language was used in all the stones. Each stone has its distinctive number. Writing on the stone is in English and Hindi, both. Numbers are written in Hindi. Such types of stones are at the shrines of Ayodhya. No discrimination was made between the shrines of Hindus and Muslims for fixing the stones. Stone were fixed on all the shrines, irrespective of religion. Volunteer : that stones were also fixed on the shrines of Jains.

I am regularly living in Ayodhya, after I came to Ayodhya in 1962. Followers of Hindu religion, Islam, Sikh Sect, Jains Sect are living in Ayodhya. Followers of Buddha Sect do not live in Ayodhya. However, followers of Buddha Sect came here for darshan. Ayodhya have the Darshnik Sthal of Buddhist. Among Muslims, tailors, Ansari and Gardners live in Ayodhya. I do not know if Saiyyed lives in Ayodhya or not. I have not heard about Saidwara Mohalla of Ayodhya. I do not know any Farzand Hussain living in Saidwara. Among, Muslims,

some people observe Taziya also. I have not seen Taziya in Ayodhya. Taziya procession goes to Beniganj. Beniganj is ahead to Saket Degree College. Saket College is on the way from Faizabad to Ayodhya. Id-gah is on the inner side of the road from Faizabad to Saket Degree College. There is no graveyard around Id-gah. I have not seen any graveyard there. Muslims of Ayodhya might had been reading namaz of Id-Bakreed at that place.

I know Hashim Ansari of Ayodhya. His house is adjacent to Dharmkanta on Faizabad road, Ayodhya. I cannot recollect at present in which Mohalla his house is. I have not heard about Suthatti Mohalla in Ayodhya. I have not heard about Kotia Mohalla in Ayodhya. I have heard about Kaziya Mohalla. I have heard about Tedi Bazar Mohalla, which we called Vasishtkund Mohalla. There is a place named Dorahee Kuan in Ayodhya. I cannot say if this place is called Ramkot Mohalla or not. There are two wells (Koops) at Dorahee Kuan, hence it is called Dorahee Kuan. I cannot say about the present condition of these two wells. There is Gurudwara, adjacent to Brahmkund, in Ayodhya. It is situated on the western side of Dorahee Kuan. If there is graveyard in the west side of Dorahee Kuan or not, I have no full knowledge in this regard, because none was buried there. I do not know whether there are old graves or not. I am not recollecting the situation of the house of Akhlak Sahab. I have no knowledge if there was a big varandah in the south of his house or not but there was a mosque in the south of his house. I do not pay visit to his house at marriages etc., because I am a Sadhu. We used to go to see each other at Holi and Diwali. I never went at the occasion of Id to see him. People come to see me on the occasion of Id at my temple in Faizabad. My temple is in Avadhपुरी colony in Faizabad. This temple is on the main

road. This temple is adjacent to L.I.C. building. On one side there is temple and on the other side there is a mosque. My temple is known as Sankatmochan Hanuman Mandir. An idol of Hanumanji is the principal idol in it. An idol of Hanumanji is about 6 feet in height in the form of benediction. No stone has been fixed on this temple. Stone has been fixed at Jalpa Devi Temple situated adjacent to it.

Besides, stone has also been fixed at Bari Buwa place. Stone fixed at Bari Buwa has been numbered but what number, I do not remember. I also do not remember what is written on this stone. Bari Buwa place is at the side of Railway Line. This is not a Railway Stone. I do not know if there is a stone at Id-gah adjacent to Saket Degree College or not. But there is stone at "Devi ji ka Mandir" opposite to it. Whether any stone is there at the place of Bijli Shaheed or not, I do not know. Sheesh Paigamber place is in the side of Mani Parbat. There is a stone at Mani Parbat. The place of Sheesh Paigamber is situated in the south of Mani Parbat. Mani Parbat is at a distance of 10-20 feet from Sheesh Paigamber. A road, opposite to Sheesh Paigamber joins the road leading to Darshan Nagar. Place of Sheesh Paigamber is at a little distance from it. Mani Parbat place begins from the side of road. I do not know, what number is on the stone fixed there. I have not seen the mosque on the western side of the road after Sheesh Paigamber place. There is a graveyard only. Dead bodies are not buried in this graveyard. I have seen Muslims of Ayodhya buried the dead bodies of their peoples at the place called Bari Buwa adjacent to Ayodhya Panchkosi Parikarma Marg. Stone is there at a tomb, where Kartik Fair is held. I do not remember what is written on this stone. This stone was fixed there at the time of fixation of all the 149 stones.

I cannot say, if a place called Naugji is there in Ayodhya or not because I have not seen it. This place, which is called Naugji tomb by Muslims, is called Manu Area by Hindus. I am not recollecting the place where it is situated. There is a Kotwali in Ayodhya. I have not seen, whether graveyard is in the rear of Kotwali or not.

I know, Muslims in majority read the namaz of Zumma. I have no knowledge if Keware Wali Masjid is by the side of Ayodhya Kotwali or not. I do not know a place named Madar Shah Ka Tila in Ayodhya. I have no knowledge whether any mosque is there or not. I have been living and wandering about in Ayodhya, since childhood. I have no knowledge about the mosque of Begum Barlas, made of stone.

I have made a mention about Rishabh Dev in my statement. People concerning to Jain religion recognize Rishabh Dev as their Tirathankar. But Rishabh Dev was a Sidh-purush concerning to Sanatan Dharm. There is Rishabhdev Mandir in Ayodhya. Rishabhdev Mandir is in Swargdwar Mohalla. Rishabhdev was born here. There is Grabh Grih in Rishabhdev Mandir. An idol of Rishabhdev is there which is half feet is height. There is an idol of Rishabhdev in Rishabhdev Mandir in Raiganj Mohalla. This idol is about 25 feet in height.

Rishabh Dev was a Sidh-purush. We recognize him as God. An idol of Rishabhdev is situated in Raiganj Mohalla and an idol of Rishabhdev in the temple situated in Swargdwal Mohalla. A stone is fixed at Hanumankund place situated adjacent to Rishabhdev Mandir in Raiganj

Mohalla. Hanuman Kund at present, is there as a Kund. This place is situated near, in the rear side of Rishabhdev Mandir. Stone is also fixed at Rishabhdev Mandir in Swargdwar Mohalla. Mazar of Hazrat Ibrahim is at a distance of 200 meter, at east north angle, from Rishabhdev Mandir, situated at Swargdwar. Alamgir mosque constructed by Aurangzeb is at a distance about 20 feet from Hazrat Ibrahim Mazar. No stone is at this mosque. I have been seeing, Hindus and Muslims living with brotherhood since I came to Ayodhya in 1962 and up to 1992. Muslims are living in temples as tenants. Three fairs are organized in Ayodhya, every year. These three fairs are the sources of income of Ayodhya. In Ayodhya, rent was recovered at the time of fair. Now this custom has been changed and this convention has now been changed in respect of newly constructed houses. A Muslim is a caretaker of my house situated in Beniganj Mohalla in Ayodhya. I do not remember if any Muslim is a sarwarahkar of any temple or Not. Muslim called "Chhotte Darji" stitches the cloths of God in every temple. Volunteer : that clothes of Ramlalla were also stitched by him.

Verified the statement after reading.

Sd/-

Mahant Dharmdass

31.3.2005

Typed by the stenographer, in the open court as dictated by me. In continuation to this, the suit may be fixed for further cross-examination on 1.4.2005. Witness be present

Sd/-

(Hari Shankar Dubey)

Commissioner

31.3.2005

Before: Commissioner, Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special
Duty, High Court, Lucknow Bench, Lucknow.

Dated 01.4.2005

D.W. 13/1-1, Mahant Dharmdass

(Commissioner appointed vide order dated 11.3.2005
passed by Hon'ble Full Bench in Other Original Suit No.
4/89)

(In continuation to dated 31.3.2005, Cross-examination by
Shri Mustaq Ahmad Siddiqui, Advocate, on behalf of
plaintiff No.-7, Other Original Suit No. 4/89, continued).

25 Muslims are living as tenants in my shops around
Hanumangarhi. The route leading to Hanumangarhi from
Dorahee Kuan, was discontinued in 1992. Before that,
people used to go to Hanumangarhi and back via this
route. The temple situated in the north of the road,
situated in the north of disputed premises also has a
stone. Number 5 is written on it. "Sita Rasoi" is also
written thereupon both in Hindi and English. Number is
written in Hindi only. I have been to this temple. This
temple has an idol of God. The place, where an idol is
kept is called Grabh Grih. Sita Rasoi is in the north of
Grabh Grih. People publicized the temple in north, as
Janamsthan Mandir, but it is actually is Sita Rasoi Mandir.
An idol of Ramchanderji, of his youth age, is there.

This idol has a bow and arrow in its hand. Dhanush
(Bow) has a fix measurement of five and quarter feet.
However the length of bow in the hand of an idol is kept in
accordance with length of an idol. General bow is five and
quarter-feet in measurement. My Guru told me about the

measurement. He told me about the Dhanush, Dand and Yojan. He told me this, from the book called "Rudrayamal Purvi Tantra". Measurement of five and quarter feet as stated by me is in accordance with the feet of to day. No measurement in accordance with feet is given in the book Rudrayamal. In that book length of bow was given in Anguli and Mushti. Length of bow was written three and half hand. Rudrayamal is an old book but how old it is, whether it is from a time of Ramchanderji or not, cannot say. If the height of the then human was much more than the height of today's human being or not, I have no information in this regard. There is a Gulab Bari palace in Faizabad City. I have heard about the tomb situated at Faizabad. I have not heard about Bahu-Begum tomb, as I do not understand its meaning. Tomb and Gulabbari are old buildings. Gulabbari and tomb's buildings were there at the time of fixation of 149 stones. I have no knowledge whether any stone is fixed at these buildings or not, but stone is at the Hanumangarhi situated in Faizabad. This is the same Hanumangarhi, which is situated at muzaffara barricade of Faizabad. Bhaskar Dassji is a mahant of the same Hanumangarhi. Stones have been fixed in Ayodhaya to indicate the places on the basis of Religious books, which are going to be invisible.

Religious books I mean, all the books related to religion. This stone was fixed by Ayodhaya Tirath Vivechani Sabha. Sadhus were the members of Sabha. There was written agreement and District Judge was also a member of this Sabha. Facts concerning to Ayodhaya Vivechani Sabha were published in RamJanambhoomi Panchang. About District Judge being a member of above Vivechani Sabha, I have read in the above Panchang. The Panchang was published 5-6 years before at Kashi. My Guru Abhiramdassji was a great man. He was so great

that from his asceticism, Ramlalla appeared in 1949. Ramlalla appeared before my Guru in the disputed Bhawan. Such incident happens in the life occasionally. Volunteer : that Kaeemkidwai, resident of village – Kanhaipur, District Barabanki had dedicated his entire fort to Hanumanji. This fort was dedicated to my Guru Abhiramdass and temple of Hanumanji was constructed there, known as Kanhaipur Hanumangarhi Mandir. This incident happened in 1958. Sutikshan ji was of the level of my Guruji, before whom God appeared. Sutikshan was the pupil of Agastya Rishi. God appeared in the Agastya Ashram. This place is in Bengal state of India. This incident happened many years back. I cannot count the number of years, to the effect how old the incident was. Sutikshan ji was during the period of Ramchanderji. Besides, this, there were so many Sadhus, before whom God appeared. In addition to above, God was also appeared before two persons - Gorang Mahaprabhu and Ramkrishan Paramhans. God Krishna appeared before Gorang Mahaprabhu in Vrindavan. Mahakali appeared before Ramkrishan Paramhans in Calcutta. Incident concerning to Gorang Mahaprabhu, happened 3-4 hundred years before and incident concerning to Ramkrishan Paramhans happened 150-200 years back. Such persons are at present there, before which God can appear. God appeared only with his distinctive blessing. I have no knowledge about the incident in which God Krishna appeared before the house of Kaleem Punjabi, situated in the east of the road leading to Gudari Bazar from Ghantaghar in Faizabad. I have no knowledge about Kaleem Punjabi. There were three domes in the disputed Bhawan. All the three domes were equal in size. Temples of Ayodhaya have abundant immovable properties. These properties are at various places other than Faizabad. Bara Sthan Mandir – situated at Ayodhaya has also

abundant immovable property. Chhotee Chhavani and Bari Chhavani also have abundant property. People dedicate their property to the temples out of their own devotion. Janamsthan Mandir (near Sita Rasoi) situated on the north of northern road of the disputed premises also have immovable property, I have no information about how much property they have. Bara Sthan might have the property outside of Uttar Pradesh, but I have no information about it. I am Srimahant. Bara Sthan also comes under me. I have no information about the immovable property of Janambhoomi Mandir. There is no temple on the name of Janamsthan Mandir.

Sita Rasoi Mandir, which is also called as Gudartar Mandir is in Ayodhya. Peoples of Ayodhya have their culture and Social life, besides religious life, and they enjoy it. All the people live their life with freedom and take part in these activities. Suits in regard to land of my Ashram are going on. My Ashram is in Ayodhya and Barabanki. Hanumangarhi situated in Ayodhya is called Ayodhya Hanumangarhi and Hanumangarhi situated at Kanhaipur is called Kanhaipur Hanumangarhi. These places can be called Hanumangarhies and Ashrams. Only Mukhtar can say, how many suits are going on in this regard, I do not remember because of numerous suits. This is work of Mukhtar. Only Mykhtar go for pleading the suits and to file the counter-claims because elaborate arrangement in this regard exist in Hanumangarhi. I did not get a chance to give my statement in the Court. I did not appeared in any Court for giving statement. There is deep land in the west of disputed premises. Sita Rasoi Mandir, situated in the north of the road leading to Hanumangarhi from Dorahee Kuan, is situated at a height from the road. I do not remember if any embankment is there in the south of Sita Rasoi or not.

I have not read any book of Muslim Religion about the disputed subject. Then said, I have read Kuran in Hindi. I have not read 'Fatwa Alamgiri' book. I have not even heard the name of this book. Among Muslims poets, I know the name of 'Kabirdass Ji' and 'Raskhan'.

I have heard the name of "Ikbal poet". I took part in the conference organized at Kanpur about this poet. I have no information about any couplets of Ikbal in respect of Shri Ram Chander ji.

I have filed the counter-claim in the suit in which I am giving statement. There is no graveyard around the disputed premises. There is no graveyard on any side of the disputed premises.

I have not filed any litigation against Nirmohi Akhara. Nirmohi Akhara had filed a suit itself. This litigation was filed in 1962. Outer part of the disputed premises was not attached due to the litigation. The above part was attached under Section 145 Cr.P.C. I was a party in the suit under Section- 145Cr.P.C.

It is not correct to say that Zamindari of three villages was granted to meet the expenditure of Babri Mosque. This grant was given to a person in lieu of the help rendered by him to Britishers. People said that this grant was obtained during the British period. I have seen the papers concerning to this, summarily. It is not correct to say that cash grant was given to Babri mosque earlier, which was later on, converted in to the zamindari of three villages. I had filed a Counter-claim in this suit to the effect that except 14 pillars of Kasouti, Muslims can take

the entire material of the building and construct their mosque at Sahanawa. Again said that I do not remember about this.

Three dome's building was constructed first. It was constructed during the time of Vikramaditya and earlier to this it was constructed by Lav-Kush. Later, Meerbaki tried to construct mosque by demolishing it. After that it was repaired during the British time and wall with grill was constructed. There are two houses of Chikwa community in Ayodhya. Houses of these Chikwas people are at the side of the road leading to Tedi Bazar from Dorahee Kuan.

I know Siya Raghav Saran of Ayodhya. He is a religious person. He has no relation with Nirmohi akhara. He is Pujari of Ram Chabutra. I have no knowledge about Maulvi Abdul Gaffar, residing in Vasisht Kund. One Muslim in Ayodhya has a Saw Machine. I do not know the name of the owner of Saw Machine. I have no knowledge if his name is Yunus or not. I know the name of Bhai Kasim of Hashim. I do not know Wali Mohammad. I have heard the name of Hazi Feque. He was a father of Hazi Mahboob. I have also heard the name of Zahoor. Zahoor is now no more. His son Farooque is there or not, I have no knowledge. Zahoor has a shop opposite to Kotwali. Bangles are sold there in the shop. This shop still exists. I have no knowledge if bangles are still sold there or not. I do not know, Hazi Fayak of Ayodhya.

Learned advocate cross-examining asked, whether Siya Raghav Saran filed a suit on behalf of Ramlalla, in the Court of Munsif, Faizabad in 1978 or not. Witness, with the permission of commissioner, after seeing the document No. 109 C-1/3, Other Original Suit No. 5/89, said that Siya Raghav Saran had filed this suit in respect

of RamJanambhoomi. This suit is about the property in respect of which I am giving statement.

Learned advocate cross-examining drew the attention of the witness towards enclosure No.-5, page No. 68, supplementary claim filed by Sunni Wafq Board against the A.S.I. Report and asked, whether the witness has seen the building appearing in this photo pasted on this paper in Ayodhya or not. Witness said that he is not recollecting if he had seen the building appearing in this photo, in Ayodhya or not. It is not correct to say that a scene of mosque of Begum Barlas is appearing in this picture. I have no knowledge about the place appearing in this picture. This is not a picture of Begum Barlas mosque. I have no knowledge of Begum Barlas mosque situated in Ayodhya.

Learned advocate cross-examining drew the attention of the witness towards picture enclosure No. 10 (page-17) of the above objection. Witness said I have no knowledge about the scene appearing in the photo pasted on this paper. I had not seen such place ever. Witness after seeing the enclosure No.-11 (page-74) of the objection said that I have not seen the scene appearing in the photo pasted on this paper.

There is a place named Ram Ki Pauri, in Ayodhya. It is not correct to say that a part of Ram Ki Pauri is appearing in the enclosure No. -10. I have no knowledge if a wall of mosque situated at Ram Ki Pauri is appearing in the photo attached to enclosure No. -10 or not. Witness again said that a pot like figure and a part of temple is appearing in the picture attached to enclosure No. -10. In the photo attached to enclosure No. -11, no scene around the Mani Parvat is appearing.

Attention of the witness was drawn towards the three pictures at page No.- 156 of the objection filed by Mohd. Hashim against the A.S.I. Report by Learned advocate cross-examining. Witness in reply to a question said that three domes and a pinnacle is appearing in picture No. -3. Towers are also appearing in this picture. I had not seen this building in Ayodhya anywhere. Again said I am not recollecting the place appearing in this picture. It is not correct to say that a mosque situated at the bank of Saryu, in the north and west of the disputed site is appearing in the picture No. -165. I do not know the place known as Madar Shah Tila and where there is a graveyard. I have not seen this place. It is not correct to say that I am not telling some facts knowingly. I have no information about the village to whom the land, which was granted to Muslims during the British time, belongs. Land for RamJanambhoomi was allotted to Baba Abhiramdass, which is situated in the district Barabanki. Muslims get some land from Britisher in lieu of their support. I do not remember whether this land was at Baharanpur or Shahnwan. Land for RamJanambhoomi was not allotted by Govt., but from public. The land obtained from public is still in occupation. Govt. had not allotted land to us because we did not help the Govt.

Principal place of Nirmohi Akhara is at Ramghat in Ayodhya. There is a Temple of Nirmohi Akhara. Besides, Faizabad also has the Hanumangarhi Temple. There are residential rooms in Nirmohi Akhara at Ramghat. Besides, shops are there.

Learned advocate cross-examining drew the attention of witness towards document No. 45 C-1/1/1 to 45 C-1/1/6 filed by plaintiff of Other Original Suit No. 3/89. Witness after seeing the document No. 45 C- 1/1/6 said

Chauhadi (boundary) shown in it is not correct. Volunteer : Nirmohi Akhara has submitted this detail in connivance with the Muslims. Nirmohi Akhara has filed false suit in connivance with the Muslims in 1885 also. The suit filed by Nirmohi Akhara in 1959, is also false. Besides, map submitted by Nirmohi Akhara in 1944 is also wrong. Map of 1944 was filed in the Court after a dispute. Suit of 1944 was filed by Nirmohi Akhara inconnivance with the Muslims. The Suit, 1944 has not been adjudicated so far and is going on without any reason. Now all the litigations have been transferred to the High Court. I know very well about Nirmohi Akhara Mandir at Ramghat. It is permanent structure and made of Lakhoree bricks. The suit filed by Nirmohi Akhara in 1959, was also filed by these people in connivance with the Muslims and incorrect map was also filed in the case. The map submitted alongwith the suit by Nirmohi Akhara was also not conformable with the disputed site. There is a temple in the east of Nirmohi Akhara at Ramghat. Ahirana is in the south of Nirmohi Akhara Mandir. Eastern Mandir is called Sakshi Mandir. There is a street in the west of that Mandir and permanent road in north. Chauhadee of Nirmohi Akhara is given in document No. 45 C- 1/1/6 is correct.

Learned advocate cross-examining drew the attention of witness towards a part of his statement given today at page No. 220 – “Witness after seeing the document No. 45 C- 1/1/6 said that Chauhadee given in, is not correct” and his statement of today at page No. 221 – Chauhadee of Nirmohi Akhara given at document No. 45 C-1/1/6 is correct” and said why there is variation in these statements? Witness said what I have said is that Chauhadee at No. 2 document, No. 45 C-1/1/6 is not correct and later on, I said that Chauhadee of Nirmohi Akhara Mandir at Ramghat is correct.

Question: Whether there is mistake in writing your statement at page No. 220 that "Witness after seeing the document No. 45 C- 1/1/6 said that Chauhadee given in, is not correct"?

(Upon this Learned Advocate Shri Ajay Kumar Pandey on behalf of plaintiff No. 5/89, Other Original Suit No. – 5/89, has raised an objection that this question has been asked earlier. Hence permission cannot be granted for asking a question again and again.)

Answer: Chauhadee of the disputed place given in document No. 45 C-1/1/6 is not correct. The statement made above in this is correct. I said that Chauhadee of Nirmohi Akhara Mandir at Ramghat is correct. I have answered the question after comprehending it.

Baba Ramcharandass was hanged at a tree of Imli by the Britishers. I have heard about it from my Guru and from other Mahatmas and by traditions. He was hanged in the year 1800. I do not remember if he was hanged in 1934 or later. It is not correct to say that I do reply without taking the contents in to account. I know, 149 stones were fixed by Vivechani Sabha. It is not correct to say that only 108 stones were fixed by this Sabha. I have stated above about Angad Tila that this tila is 15-20 feet in height. This Tila is 10 gattha long and 10 gattha wide. Its area is one bigha. Government has fixed barricade, ahead to the road, on the north of Angad tila. Barricades are in south, east and RamJanambhoomi in the west. It is correct that entire area, 67 acres has been barricaded.

Sugreev tila is 25-30 feet in height. Sugreev tila is in four bigha. This site is out of barricaded land. Kuber tila is in the south of disputed site; it is not called Mazar of Khwaja Hatti. About Mazar of Khwaja Hatti, I have heard today itself. This place is 15 feet in height from the ground level. Its area is one bigha. There is a barricading in its south. It is not correct to say that this place is spread up to barricading in south side. There is a vacant land in its south side. It is not correct that Muslims used to do Chiragbatti and read Fatiha there up to the time of fixation barricading. I, in my statement, had mentioned Nal-Neel tila. These two tilas are different one. These tilas exist even to day. Some tila is four feet in height, some five feet. This place is within the barricading area. Every tila is in half bigha. Similarly Nal-Neel tilas are. I will not be able to say if stone has been fixed at Nal and Neel tila. Stone has been fixed at Sugreev tila and Anged tila. Sugreev tila and Angad tila respectively have been written on these tilas. These tilas are also numbered but I do not remember their number at present. I met Shri Devki Nandan Aggarwal in 1986. I met him in Manas Bhawan for the first time; I met him in a meeting held for the establishment of a Trust. Construction of Shri RamJanambhoomi was one of object of the Trust. Construction of Mandir was also the subject matter of the meeting. Before this, I had no acquaintance with Shri Aggarwal. I have no knowledge whether Shri Devki Nandan Aggarwal was seen in Ayodhya or not. Because, I met him in this meeting for the first time. I saw him in the disputed premises. I had a conversation with him. We talked about RamJanambhoomi Mandir. Besides, there is no RamJanambhoomi Mandir at any other place. This conversation took place after 1966. Before 1966, I had not seen Shri Devki Nandan Aggarwal in the disputed premises. My Guru Abhiramdass, originally was from

Bihar. He became pupil after coming to Ayodhya. When he came to Ayodhya, I have no knowledge about this, but he came to Ayodhya before the year 1920. Hindu population of Ayodhya, in addition to Sadhus, is fairly good. Among the people, who had been living in Ayodhya, so many people are literate and dignified. I have no knowledge if notices were issued to general people of Ayodhya, Hindus and Muslims, to file their claim in the suit filed under Section- 145, Cr.P.C. or not. It is not correct to say that no local Hindu other than Baba Abhiramdass had filed an objection in the suit, Section -- 145 Cr.P.C.

I have heard the name of Akshay Brahmchari. He was living in Ayodhya. I have no knowledge whether he was a executive member of Congress Committee or not but I had very good acquaintance with him. At present he is living at Chinhut near Lucknow. He is very old. I know Ramraksha Tripathi of Ayodhya. He was a learned person. Shri Sarabjeet Lal Verma, father of Shri Ranjeet Lal Verma, Advocate, was a respectable person of Ayodhya. It is not correct to say that disputed site was a mosque and is a mosque. It is also not correct that five times namaz from Zamat to Zumma was being held regularly in the disputed Bhawan up to 22nd December 1949. It is not correct to say that it was never recognized as a temple. It is also not correct to say that respectable persons of Ayodhya had never recognized it as a Temple. It is not correct that I am giving this statement by ill-will and under the spell of Vishwa Hindu Parishad.

(Cross-examination by Shri Mustaque Ahmad Siddiqui, Advocate, on behalf of defendant No. -5, Mohd. Hasim in Suit No. 7 in Other Original Suit No.- 4/89 and Other Original Suit No. 5/89, concluded.)

(Shri Irfhan Ahmad, Advocate, on behalf of defendant No. – 6/1, Original Suit No. 3/89 and Shri Fazle Alam, Advocate, on behalf of defendant No.-6/2, Original Suit No. 3/89, and Shri C. M. Shukla, Advocate, on behalf of defendant No.-26, Other Original Suit No. 5/89, have accepted the Cross-examination conducted by Shri Abdul Mannan, Advocate, Shri Zaffaryab Jilani, Advocate and Shri Mustaque Ahmad Siddiqui, Advocate.)

Cross-examination on behalf of all defendants concluded. Witness is discharge..

Verified the statement after reading

Sd/-

Mahant Dharmdass

01.04.2005

Typed by the stenographer, in the open court as dictated by me .

Sd/-

(Hari Shankar Dubey)

Commissioner

01.04.2005