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

OTHER ORIGINAL SUIT NO. 4/1989

SUNNI CENTRAL BOARD OF  
WAQFS AND OTHERS----- PLAINTIFFS

VERSUS

GOPAL SINGH VISHARAD  
AND OTHERS ----- DEFENDANTS

STATEMENT OF DW NO. 20/3  
RAMRAKSHSHANAND

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EXAMINATION IN CHIEF BY WAY OF AFFIDAVIT OF  
RAMRAKSHANAND D.W. No.20/3 UNDER ORDER 18  
RULE 4 OF CODE OF CIVIL PROCEDURE

I, Brahmachari Ramrakshanand, aged about 87 years, disciple of Pujiyapad Anantsrivibhushit Jyotishpeethadheeshwar and Dwarka Shardapeethadeeshwar Jagdguru Shankaracharya Swami Swaroopanand Sarswati ji Maharaj, resident of Jyotirmath, Trotkacharya Gupha, Post: Joshimath, District Chamoli, Uttaranchal, do hereby solemnly affirm on oath as under :-

1. I was born in a *Samart* family, in village- Dighori, District – Siwni, Madhya Pradesh. Name of my father was Late Pt. Shri Dhanpati Upadhyaya. He was gentle and learned person. My mother was a very religious lady.
2. My mother-father has imparted religious education to me during my childhood.

3. My family name was Ramraksha Upadhyaya and I have got education by this name.
4. I got my primary education in a school in village and I got further education in Siwni. I got the education in Sanskrit but have not got any degree.
5. I have, as per my interest, studied theology individually and learned from scholars.
6. I got the initiation of Naishthik Brahmacharya from Pujyapad Shankaracharya ji due to my spiritual inquisitiveness and aspiring for spiritual end since than.
7. I, in accordance with my penance, practice and knowledge trying to perform the obligation of protecting Hindu culture among the common man.
8. I am initiated in *Shaankar* community and Shri Rama is my adorable / deity.
9. In accordance with my study and knowledge, disputed site situated at Ayodhya is the birthplace of Shri Rama. It is well known that God Shri Rama was born in Ayodhya. He was an elder son of Chakravarti Maharaj Dasratha.
10. The disputed site situated at Ayodhya is being worship able and accredited for the followers of Hindu religion as a birth place of God Shri Ram Lalla since time immemorial in accordance with faith, tradition and belief and that place is being worshipped regularly. According to scripture, salvation can be get merely by taking darshan of Janmbhoomi and Ayodhya has a prominent place among the seven cities, which gives salvation.

11. According to the religious scripture birthplace has a special significance. It is self-consecrated and a holy place. There is no need of a Mahant or Sarvrahakar at such godliness place.
12. I have read the detail about the birth and birthplace of God Shri Rama. Although entire Ayodhya is a birthplace of Shri Rama, however according to scriptural evidences and faith for lakhs of years, birthplace of God Shri Rama, situated at Ayodhya is worship able similar to a deity.
13. The *Chhand* below the couplet No. 191 of Balkand of Shri Ramcharit Manas written by Goswami Tulsidass, contains the full detail about the appearance of God Shri Rama.
14. I have heard from my Guru that it is quite evident from the details about Ayodhya Mahatamya given in Skand Puran that the place known as Shri Ram Janmbhoomi in Ayodhya city is a birthplace of Shri Rama.
15. I have taken darshan and Poojan of Shri Ram Janmbhoomi situated at Ayodhya at a number of times.
16. I went to Ayodhya about twenty years back for the first time. I took bath in Saryu and after taking darshan of Nageshwar Nath, I went for darshan of Shri Ram Lalla Temple. Thereafter, I took darshan of Hanumangarhi, Kanak Bhawan, Sumitra Bhawan temples etc.
17. The lakhs of devotees from different parts of India come to Ayodhya for darshan of God Shri Ram Lalla at the occasion of Chaitra Ram Navami, Sawan Jhula, Kartik Poornima- the famous fairs of Ayodhya.

18. The devotee organizes ninth days' recitation and Bhandara at the occasion of these festivals.
19. I have seen the idols of tiger, garur, God varah, Ganeshji, Yaksha and deities and goddess in the temple premises.
20. There is Grabh Grih in the part under mid dome in the building with three domes, where God Rama was born and where an idol of God Shri Rama remains always.
21. The worship of God Shri Ramlalla, son of Kaushaliya and Dasratha is being performed since ancient time at Shri Ram Janambhoomi Sthal, situated at Ayodhya and this place is nothing but a temple of God Shri Rama.

Lucknow

Sd/-

Dated 18.7.2005

Brahmachari Ramrakshanand

Deponent

#### VERIFICATION

I, the above named deponent do solemnly affirm that the statement made by me in my affidavit paras No. 1 to 21, are true and correct to the best of my knowledge. Nothing is false or nothing has been concealed. May God help me.

Verified today on dated 18.7.2005 at the premise of High Court, Lucknow bench Lucknow.

Deponent

Lucknow

Sd/-

Dated 18.7.2005

Brahmachari Ramrakshanand

I attested the signature of above deponent, Brahmachari Ramrakshanand, who has put his signature on the affidavit in my presence.

Sd/-

(Ranjana Agnihotri)

Advocate :

Brahmachari Ramrakshanand, Deponent, identified by Ranjana Agnihotri, Advocate in the premises of Hon'ble High Court, Lucknow Bench, Lucknow to day i.e. 18.7.2005 with the statement that deponent had read and understood the contents of affidavit very well. Thus I am fully satisfied about the deponent.

Sd/-

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

Sunni Central Board of Waqfs

and Others ----- Plaintiffs

Versus

Gopal Singh Visharad

and Others ----- Defendants

Other Original Suit No. 4/1989

(Regular Suit No. – 12/1961)

**Dated 18.7.2005**

**D.W. 20/3, Brahmachari Ramrakshanand**

Examination in chief affidavit, page 1 to 5, of  
Brahmachari, Ramrakshanand, aged about 87 years,  
disciple of Pujiyapad Anantsrivibhushit  
Jyotishpeethadheeshwar and Dwarka  
Shardapeethadeeshwar Jagdguru Shankaracharya Swami  
Swaroopanand Sarswati ji Maharaj, resident of Jyotirmath,  
Trotkacharya Gupha, Post: Joshimath, District Chamoli,  
Uttaranchal, submitted and taken on record.

(Cross-examination of D.W.20/3 Swami, on an oath, by  
Shri Ranjeet Lal Verma, Advocate on behalf of plaintiff of  
Other Original Suit No. 3/89, Nirmohi Akhara – begins).

XXX XXX XXX XXX

I became a disciple of Dwarka  
Shardapeethadeeshwar Jagdguru Shankaracharya Swami  
Swaroopanand Sarswati in 1985. I used to go to Ayodhya  
even before becoming a disciple. I went to

Ramjanambhoomi temple, at the age of 20 years for the first time. I went to Ayodhya in 1938 for the first time to take darshan. I was young at that time. I was in Grihast Jiwan at that time. I have in Para -1 of my examination in chief affidavit stated that I was born in a *Samart* family in village- Dighori, District- Siwni, Madhya Pradesh. From *Samart*, I mean Vaishnava. Followers of Vaishnav religion worship the incarnation of Vishnu. I was inspired for the darshan of God Ramlalla by the instinct of my mother-father. My mother-father used to live in the village. They were literate but not much. They used to tell stories about religion. I have studied a little, because there was shortage of schools at that time in India. Whatever mother-father teaches, that is enough. I have heard the discourses of Purans, Ramayana and Ramcharitmanas from the scholars. I obtained knowledge about religious discourses. I can read and write Hindi. I do not know much of Sanskrit.

Learned advocate cross-examining the witness draw the attention of witness toward Pars -4 of his examination in chief affidavit. Witness said that there was no school in the village so my father had opened a school in the village and brought a teacher to teach. I obtained primary education from that school. I learned Sanskrit but did not get any degree. Various poets of Bhakti-Kal, like Kabir Das, Raidass and Pipadass have written their books. In addition, Tukria Das has also written religious literature.

I have heard about the tradition of Vairagies and Sanyasies under Hindu Sanatan Dhrama. Volunteer that my grand maternal uncle was a Vaishnav. Ramanandacharya was the founder of Vairagi Sect. I do not know about this. I have heard his name during the



discourse. Followers of Ramanandacharya are called Ramanandiya Vairagies. I know that most of the *Maths* of Ramanandiya Vairagies are in north India. Ramanandiya Vairagies have Srimath in Kashi. I have neither heard about it nor I went there. I went to Vishwanath temple of Kashi. I have no knowledge whether this temple belongs to Vairagies or not. I did not go to any other temple other than Vishwanath temple at Kashi. I went on the bank of Ganga and I have seen the temples situated there. I have seen other temples of Kashi from outside. I have seen that some temples of Kashi have pinnacles, some have round dome and some have Trishul. I have heard during the discourses that once Kabir Das was sitting on the steps of Kashi Ghat and foot of Ramanand ji touched Kabir Das. Upon this Ramanandji uttered -- Ram Ram. Kabir Das ji has taken these words as a Guru mantra. Sayings of Kabir Das were compiled by his disciples. Sayings of Kabir Das ji were propagated in each village of northern India. I do not remember, when I went to Kashi for the first time. I also do not remember whether I went to Kashi before or after coming to Ayodhya for the first time. My Guru Maharaj Swami Swarupanand has 5-6 Ashrams in Kashi. My Guru is traditionally a Dandi Sanyasi. God Shankar is adorable to Sanyasi community. Dress of a person gets changed after taking Sanyas in Sanyasi community. Volunteer: that worship of five deities is provided in it. It is not necessary for an initiated person to put on garland of Rudraksha or not. It depends upon Guru. If he gives garland to Rudraksha to his disciple or not. But Guru-mantra is a must. Sanyas initiated person have to put on saffron clothes. Disciple during the period of the life of Brahmacharya Ashram, keeps a tuft and sacred thread. But when he hold dand, he abandon tuft and sacred thread. Volunteer that there are two types of Sanyas - Sanyas and Dand Sanyas. Sanyas and Dand

Sanyas are different. Sanyas is not a first stage of initiation. Before taking Sanyas, one should go through Brahmacharya Ashram and then take initiation for Sanyas. Initiation of Brahmacharya is a first stage of Sanyas. One have to follow yoga, Sam, Dam, rule etc., since Brahmacharya Ashram. Guru-mantra is given at the time of entering in to Brahmacharya Ashram. Brahmachari, can mention the name of his Guru only after taking a Guru-mantra. Such Guru is called Guru of Brahmacharya Guru. The disciple, from whom he takes Guru-mantra, is called a disciple of that Guru. Brahmachari cannot put on saffron clothes, He puts white clothes. Saffron clothes can be put on only after taking Sanyas. Brahmachari can retain his relation with his mother-father while living in Brahmacharya Ashram. Putting garland of Rudraksh depends upon his choice or on the order of his Guru. He can put on garland of Rudraksh or Tulsi. Brahmachari puts tilak in accordance with his tradition, because style of putting tilak is a traditionally differs from each other. Tika can be Roli, Chandan and Bhasma. Ramanandiya, Vaishnav and Shaiv put up separate tilak.

Question: Does a Brahmachari who, after taking Sanyas, lives with his family, be called a Gosain Sanyasi?

Answer: No. He will not be called Gosain Sanyasi.

Question: Does a person living a family life, who takes initiation from Sanyasi Guru, will be called a Gosain Sanyasi?

Answer : No. He will not be called Gosain Sanyasi.

If a family man takes initiation from Sanyasi Guru, he will be a disciple of that type in future. Because a person who lives a family life in Brahmacharya Ashram after

taking initiation from a Guru, will not be called a Sanyasi. But if he takes initiation from a Sanyasi Guru, he will be called a Sanyasi. I will not be able to say about Gosain Sect. I can say about Shankaracharya Sect only. Initiation of Sanyas is given after Brahmacharya. If a person has taken Guru-mantra while taking initiation of Brahmacharya, he has to again take Guru-mantra for second time, while taking initiation of Sanyas because the mantra, given during the time of initiation of Brahmacharya is different than the mantra of Sanyas initiation. If a person has already taken Sanyas, he will be initiated again while taking Dand Sanyas, because Sanyas and Dand Sanyas are different. During the Dand Sanyas ceremony, sacred thread is tied to the Dand in three different ways. Sometimes it is tied for 19 times, sometimes 21 times and sometimes 23 times. These three Dands have separate names; these are Narain and Vaishnav. Name of third one is not remembered by me at present. Only Brahmin can take Sanyas. The other three categories cannot take Dand Sanyas. Shudras are not covered under Dand Sanyas. Tarpan, blessings and pranaam are performed from Dand. These procedures are separate for each Dand. In Ramanandiya Sect, people of all the four categories can take initiation and there is no restriction on the basis of Varan Ashrams. Putting white clothes is compulsory for the people of Vairagi Sect. Brahman and Kshatriya can put on sacred thread. Vaish and Shudra wear garland only. I have no knowledge about this practice of Vairagi Sect. I can say only about my own Sect. People of Vairagi Sect put Urdhawa Tripunda. I have no knowledge that it is compulsory for the Sadhus of Vairagi Sect to put tuft because I know only about my Sect. Aadi Guru Shankaracharya is the Guru of my Sect. He was born in Kerala, 2500 years ago. I cannot say that in which Century or year he was born. It can be

calculated. Followers of Shankaracharya have the philosophy of Adwaitvad. I do not know whether Ramanujacharya or Ramanandacharya was born after Shankaracharya or not. I have no knowledge whether Ramanujacharya and Ramanandacharya followed the philosophy of Vishishtadwait or not. I have studied Ramcharitmanas. Tulsidass was a disciple of Narhariacharya. God Shri Rama was adorable to Tulsidass. Tulsidass belonged to Ramanandiya Vairagi Sect. Ramchanderji is worshipped in formal form in Ramanandiya Vairagi Sect. Tulsidass has written in Ramcharitmanas that the whole world is full of devotion of Rama. It is written in Ramcharitmanas that "*Siyaram Mya sab jag jani, Karhu pranam jori jgu paani*".

Learned advocate Cross-examining the witness draw the attention of witness towards Para -5 of his examination in chief affidavit. Witness after reading it said that I have studied Ramayana, Gita, Upnishad, Ramcharitmanas and Gitawali. I have heard Purans, Srimadbhagwat etc. from scholars. I have heard Skand Puran, Ayodhya Mahatamya. I came to know from the study of scriptures that Ayodhya is a religious city and one staying there for a night get the benefit equal to that of hundred Yagnas. Ayodhya have an important place in ancient history because Rama was born here. I have come to know, from the study of Valmiki Ramayana and Sri Ramcharitmanas that there is a Saryu River in the north of Ayodhya and Ayodhya is in the south of Saryu. It is written in Ramcharitmanas that-

*"Janambhoomi Mum Puri Suhawani, Uttar Dishhi Bahi Saryu Pawani—*

*Aati Priya Mohi Yahan Ke Vasi, Mum Dhamda Puri Sukhrasi— " "*

I have written in Para -6 of my affidavit about getting initiation of Naishtik Brahmacharya from Pujiyapad Shankaracharya. This Pujiyapad Shankaracharya is Swami Swaroopanand Sarswati. I have not taken Sanyas yet. I have taken initiation of Naishtik Brahmacharya from my Guru in 1985.

I had gone for the darshan of Ramlalla for two-three times during 1938 to 1949. I went there in 1938 for the first time, I do not remember, in which year I went Ayodhya for second time. I had also gone there in 1947 when the freedom struggle of the country was going on. I also went to Ayodhya for three times before 1949 but not necessarily at Ram Navami. I might have visited there on other occasions also. When I went to Ayodhya in 1938 for the first time, a fair was going on there. But I do not remember whether it was Ram Navami or not. So far I remember I went to Ayodhya for the first time on the occasion of Ram Navami. On second time, when I visited Ayodhya, a fair was going on there and Parikrama was also going on.

I do not remember during which season, I went to Ayodhya on the third time. I did not go to Ayodhya after 1949 and before 1985. I did not go to Ayodhya in the intervening period from 1985 to 1992. I came here to depose in on behalf of Shri Ramjanambhoomi Renovation Committee. I have seen my Guru Swami Swaroopanandji, reading and writing and I can recognize his signature. Shri Madan Mohan Gupta is a convener of All India Shri Ramjanambhoomi Renovation Committee. I do not know which place he belongs to but I recognize him. I met him. I came to know about this suit from Shri Madan Mohan Gupta. My Guru Swami Swaroopanand Sarswati is a convener of All India Shri Ramjanambhoomi Renovation

Committee. I know Mahant Gopaldass Brahmachari. He has a Ashram in Gujarat. I do not know who initiated Gopalanand Brahmachari. He is also a member of All India Shri Ramjanambhoomi Renovation Committee. I met him. I do not recognize his signature but I know him very well. I invariably went to Hanumangarhi whenever I visited Ayodhya. Nageshwar Nath Temple is at the bank of Saryu River.

Learned advocate Cross-examining the witness draw the attention of witness towards document No. 288 C -1/4 and asked does it have the signature of Shankaracharya Swami Swaroopanand Sarswati? Witness said that I do not recognize the signature of others, appended thereon. Nageshwar Nath Temple is near to Saryu. Hanumangarhi is about one – one and half km. from Saryu.

During my visit to Ayodhya I have seen all the temples of Ayodhya. I have seen saints paying visit and performing Pooja in the temples of Ayodhya. There are many temples in Ayodhya and it is a city of temples. I cannot say that the temples, which I have visited, were the temples of Ramanandacharya Vairagi saints or not. As per my knowledge there are the temples of Sanatan Dharmi Peoples. All the temples of Ayodhya belong to Sanyasies. I cannot name any big temple of Sanyasies in Ayodhya which is famous. I cannot name even a temple of Shaankar Sect situated in Ayodhya because all the temples and saints belong to me. I cannot name any Mahant of Sanyasies of any Sect, living in Ayodhya. I do not remember the name of any Jain Temple seen during the Ayodhya visit. I might have seen the Buddhist-math or stoop but I cannot say which math or stoop was it. There is a temple. I have seen almost all the temples of Ayodhya in addition to the temples referred in Para -16 of

my examination in chief affidavit but the name of these temples are not known to me. I have, in addition to the temples referred in para-16 of my examination in chief affidavit, seen hundreds of temples of Ayodhya. All the temples, which I have visited, have an idol of God Rama. I do not know whether followers of Jain or Buddha religion do worship or not. The temples, which I have visited, have an idol of God and Sadhus, Poojan and Vairagi saints. I have taken Aarti and nectar in these temples. I know Paramhans Ramchander Das. I met him but I cannot say whether he was a Mahant of any temple or not. I met him in Surat. He come to my Guru Maharaj. Paramhans Ramchander Das was a great Mahant. But which temple he belonged to, I do not know. He did not talk to me about this suit. He talked to my Guruji in my presence. Volunteer that it was a fact of about 50 years back.

It is not correct to say that Paramhans Ramchander Das was not a Mahant of any place 50 years before when he talked to my Guru. Had he not been a Mahant of any place, my Guruji would not have offered him a place to sit. My Guruji had offered a chair to Paramhans Ramchander Das opposite him. 'What was the age of Paramhans Ramchander Das at the time, when he talked to my Guru, I will not able to tell. But he was an adult not a minor. He talked to my Guru about religion and Ram Mandir. Besides this, on which subject they talked together, I do not remember. I know about the conversation held but I do not know as what transpired between them when they talked. Ram Mandir was discussed but what were the contents I do not know. I was told only about the suit relating to Ramjanambhoomi. Whether this suit was against the Muslims or any other, or what Paramhans has talked to my Guruji in this regard, I do not know. After this talk my Guruji did not tell me that

the building with three domes since has been attached after 1949. I still do not know whether the building with three domes was attached after December 1949 or not. I have in my examination in chief affidavit referred Ram Navami fair of the month of Chaitra Jhula fair which falls in the month of Shravana and Parikrama fair which falls in the month of Kartika. I have seen Shri Ramlalla, under the building with three domes during my visit to Ayodhya after 1938 in the month of Kartika in 1949. Police was on guard there at that time but there was no restriction on taking darshan. Saints and Pujaries were there at that time too and they have given Aarti and nectar to me. I have seen the Hanumangarhi but I do not know in which direction from the disputed site is it. I do not remember if the disputed place was at a height or not .

Volunteer: that I went there recently three days before the incident of fifth of July, 2005. I have seen pitches all over the area. Three days before the terrorist attack, when I visited Ayodhya, I went to Hanumangarhi also for darshan. One is supposed to cross a large number of steps to reach the Hanumangarhi. I do not remember if the road towards the disputed site, from the place where from steps to Hanumangarhi begins, is at the height or not because I was traveling then by a vehicle. An idol of Hanumat Lal is in the Hanumangarhi. There is a temple opposite to an idol of Hanumanji but I cannot say in which direction this temple is. There is a temple of Sitaram ji, opposite to temple of Hanumanji. Besides, there are a number of small temples on the parikarama of temple of Hanumanji. These small temples belong to whom I do not know . I have seen these temples three days before the terrorist attack on fifth of July 2005. I got Aarti , nectar and prasad there, at that time too, in Hanumangarhi. I paid my respect of Hanumanji. Pujaries were sitting there but I



cannot say if these Pujaries are from Vairagi Sect or not. I have not seen if there was a board of Panch Ramanandiya Nirvani Akhara, Ayodhya at the main gate of Hanumangarhi temple or not. After climbing the steps, I have seen monkeys and Vairagies both. Hanumangarhi appeared to me like a fort. Pitcher of Hanumangarhi is seen from the road, next to the disputed site. I have no knowledge whether Ramjanm Sthal is at much height than the Hanumangarhi. Ramlalla, was eight-nine inches in height. I cannot say whether the idols which I have seen, were made of eight-metal, stones, or any other metals because idols were covered with clothes and jewelry. Because it was not possible to see them. Sumitra Bhawan was situated there but at what place and at what distance, I do not remember. I have seen the temples detailed in Para-16 of my examination in chief affidavit, when I went to Ayodhya. There were idols of Sumitra and Sheshaavtar Lakshman in Sumitra Bhawan. I do not remember if Ram Gulela Temple and Lomash Ashram were there when I came out through the Iron Gate, from Ramjanambhoomi site, but there were many temples. There are Dashnami Sanyasies in Sanyasi Sect.

The names of Dashnami Sanyasies are suffixed with Giri, Puri Van, Parvat, Sagar, Ashram and Sarswati. Aadi Guru Shankaracharya had founded the tradition of Dashnami Sanyasies. Aadi Guru Shankaracharya has established four *Maths* during his lifetime. *Maths* were established to bridge the loss due to Chatur Sampradaya and Buddhist philosophy. It is not correct to say that Aadi Shankaracharya was Prachhan Buddhist and he established his *maths* like Buddhist *maths*. Three types of Sanyasies are taken from the Brahmins and rest 7 types of Sanyasies are the persons from Giri etc. and these have been included by Aadi Shankaracharya. Besides this,

there is no difference in between the Dashnami Sanyasies. Among Dashnami Sanyasies, some are armed and some are not, like Nagas. Three types of Dandi Sanyasies take arms. Dashnami Sanyasies has their Akharas. Akharas are managed by all because Bhandari, Kothari, Kotwal and Panch etc. works in it.. Kotwal means a messenger who communicates the message or proposal and who guards the goods. Order of the Mahant is regarded as supreme. Mahant can or cannot accept an order passed by Panchs.

Question: Whether a Mahant can go against the majority decision of the Panch in the Panchayati System of the Akhar ?

Answer: Mahant can act against the decision of Panchs.

I know Swami Avimukteshwaranand Saraswati. He is a scholar. His words are recognized. He is senior to me as my Guru-bhai.

Verified the statement after reading

Sd/-

Ramrakshanand

18.7.2005

Dictated by me to stenographer who typed it in open court. Furtherance to this the suit may be fixed for further Cross-examination for 19.7.2005. Witness be present

Sd/-

(Hari Shankar Dubey)

Commissioner

18.7.2005

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

**Dated 19.7.2005**

**D.W. 20/3, Brahmachari Ramrakshanand**

(Commissioner appointed by Hon'ble Full Bench vide order dated 26.5.2005 in Other Original Suit No. – 4/89).

(In continuation to dated 18.7.2005 Cross-examination, on an oath, of D.W.20/3 Brahmachari Ramrakshanand, by Shri Tarunjeet Verma, Advocate on behalf of plaintiff of Other Original Suit No. 3/89, Nirmohi Akhara – continued).

I have stated in Para –5 of my examination in chief affidavit said that I have studied the scriptures. I have studied Ramayana, Sukhsagar, Gita etc. I have studied Ramcharitmanas.

Learned advocate cross-examining the witness draw the attention of witness towards Para –7 of his examination in chief affidavit. Witness said that he has written about the obligation of protecting of Hindu culture in this para. I mean, efforts are being made now a day to destroy Hindu culture and Hindu culture is being affected adversely due to manifestation of various Sects. Hence I have, in this para, written the fact about the obligation of protecting Hindu culture. A number of followers of various Sects, such as Brahma Kumari, Saibaba Sect and Arya Samaj; people are trying to destroy Hindu culture. Brahmakumari Sect negates the philosophy of shastras others. It is understood that the Brahmakumari Sect is spreading throughout India. In this regards It is

understood about Brahmakumari Sect that a Sindhi person had launched a campaign against the philosophy of Hindu Culture for the propagation of his views. I do not know his name. Followers of Brahmakumari believe that this Universe was created only 5000 years back.

Young girls are enrolled as a member and training is imparted to them. A campaign is launched through them against the philosophy of Hindu religion. This Sect has its Ashrams in big cities of India. I do not know that at which place in Lucknow, they have their Ashram, because I have come here recently. These people have no separate dress. They copy the Hindu culture.

Sai Baba Sect came in to existence about 8-10 year back. These people propagate the facts written in religious books of Hindus – Ramayana and Gita, but by the name of Saibaba. They say that Saibaba is a God and one should worship him. Followers of Saibaba have spread throughout India. They have established big organization. I know that these people worship a picture of Saibaba, who keeps beard and regard him as their adorable. But they take the support of Hindu scriptures for the propagation. These people ask not to recognize deities, Brahmins, Cows and idols. Thus they are causing harm to Hindu religion. I have seen that they run their courses from the rented houses. I have seen the Ashram of Saibaba in Jabalpur, in some cities of south India and at Bhilaj in Madhya Pradesh. They do not have their own dress. They teach their views, during the courses they conduct. If anyone ask about the proof about their sayings that there was no Universe before 5000 years. In reply to this query they say that first you do the course thereafter you yourself will come to know about it. Young girls are more in number among the followers of Saibaba.

About Arya Samaj, it is said that once a person was offering water to his ancestors, another person has asked him about what he was doing. The first person replied that he is offering water to his ancestors. On this the second person asked the first person to give this water to his field. Upon this the first person, who was offering water to his ancestors strongly opposed him. The second person felt it. Upon this first person said if such and ordinary fact is affecting you heavily, could mantras not affect you. Arya Samaj is against the worship of idols, ancestors and Tulsi etc. Thus they are causing harm to Hindu religion. I propagate my view for the protection of Hindu Culture. We are resorting to Satsang for this work relating to propagation.

Learned advocate cross-examining the witness draw the attention of witness towards Para -9 of his examination in chief affidavit. Witness after reading it said that I have seen an idol of God at the disputed site. I have seen the Aarti-Pooja being performed by the devotees. From every quarter I have got the message that this is the birthplace of Ramchanderji. Disputed site is a birthplace of Shri Rama. I have read about this in Ramayana. Character of Shri Rama Chanderji has been described in it. It is written therein how he took his birth. In this regard, it has also been written in Valmiki Ramayana. The Ramayana referred above in my statement was a Ramcharitmanas written by Tulsidass. It is written in Ramcharitmanas that "*Grih Tithi War Bahye Sakal Anukula*"

Lagna, day and dates everything became favourable at the time of birth of Shri Rama. Witness, after seeing couplet No.191 at page 141, Ramcharitmanas written by

Tulsidass, document No.258 C-1/2, said deities have prayed to God before the birth of God and on their prayer, God agreed to appear. Thereafter couplets concerning to Ramjanam was written. This couplet is about a particular place where Shri Rama was born. In addition this detail is also available in Valmiki Ramayana. But at what place, this detail is in Valmiki Ramayana, I will not be able to tell. I can tell after seeing the book.

I have, in second line of Para -10 of my examination in chief affidavit, used the word "Anant Kaal". This mean the time immemorial, the period in which God Rama was born and till today. Ramchanderji was born in Tretayug, the yug in which God blessed Manusatrupa that God will take birth with four brothers in his family. It is mentioned in Ramayana that wife of God will be abducted by demons King Ravana, in Tretayug. This proves that Ramchanderji was born in Tretayug. I cannot say which Tretayug was it, in which Rama was born. On the suggestion made by Learned advocate cross-examining the witness that Rama was born in 28<sup>th</sup> Tretayuga. Witness said that I can say about this only that Ramchanderji has taken birth to bring an end to atrocities being caused by Ravana.

I have, in last two lines of Para -10 of my examination in chief affidavit, said that "Ayodhya has a prominent place among the seven cities, which gives salvation". Mathura, Maya, Avantika and Dwarawati are among these cities.

I have in Para -14 of my examination in chief affidavit referred "Ayodhya Mahatamya" described in Skand Puran.. I have read Ayodhya Mahatamya.

Learned advocate cross-examining the witness draw the attention of witness towards Para -19 of his examination in chief affidavit. Witness after reading it said that idols of Tiger, Garur, Yaksha, Deities and Goddess were referred therein. I have seen these idols with my own eyes. I have seen these idols during my first visit to the disputed site in 1938.

Learned advocate cross-examining the witness draw the attention of witness towards picture No. 37 and 38 of colour album document No. 201 C-1. Witness, after seeing these pictures, said that one and the same place is appearing in both the pictures. I do not feel any difficulty in vision nor I expect any such difficulty in future. Picture No.37 is a picture of Ramjanambhoomi, a building and trees and grill is appearing in it. It is not clear if picture No.37 have an idol or not.

Learned advocate cross-examining the witness draw the attention of witness towards picture No. 38 and 39 of colour album document No. 201 C -1. Witness, after seeing these pictures, said that temples are appearing in these pictures. A gate is appearing in these pictures. A picture of Lion is appearing above the gate. A picture of Hanumanji is appearing.

Upon inviting attention of witness towards picture No.44 of this album, witness said that this is a picture of Ramjanambhoomi. Which scene is appearing in this picture, I am not able to understand .

There was a Shiv-Darbar when I visited Ayodhya in 1938. This Shiv-Darbar was in the direction of the southside. There was a Ramchabutra also. I do not remember if I had seen Saint Niwas there or not. On the

suggestion made by Learned advocate cross-examining the witness that Saint Niwas was in the north side, witness said that it is correct that Saint Niwas was in the north side. There was a Kaushaliya Rasoi too. Besides, there were a number of trees. I know this. Which trees were these, I do not remember. Pooja-path was being conducted on Ramchabutra and in the part of three domes. It is correct to say that there were trees of Neem, Moulshree and Peepal etc in the site. There was an idol in the part of Ramchabutra. There was pindi of Shiva at Shiv-darbar Chabutra in 1938. There were other idols also but whose idols were there, I am not able to recollect. Volunteer : that there was a thing like Shiv Panchayatan or Ram Ranchayatan. Idols of Nandi, Parvati, Ganeshji and Shivalinga were in the Shiv-darbar. Beside, an idol of tortoise was there. I had merely gone to Ayodhya in 1938 for darshan only. I did not stay with any Mahant in Ayodhya in 1938. I stayed in some Dharmshala. This dharamshala was on the bank of Saryu River. I do not remember whether saint used to stay in Saint Niwas or not. I have seen the shops of sweets at the outer part of the disputed premises in 1938. There were a few shops in a line, at that time. I am telling about 1938. I have seen Aarti being performed at Ramchabutra, but who was a Poojari and who was a devotee, I cannot say. Poojari and devotees can be distinguished by their appearance. When I went for darshan of Ramchabutra situated at the disputed site, I distinguished a person giving Prasad as a Poojari and those who were getting Prasad as devotees. I did not make any efforts to get acquainted with saints, because there was no need for it. I do not know about the saints and Mahant of Ayodhya. I do not have any acquaintance with the saints of Mahants of Ayodhya. I have, in my statement yesterday stated that Paramhans Ramchanderji had met my Guru. I do not know whether



Paramhans Ramchander Das belonged to Ayodhya or not. I came to know only after he met my Guru that Paramhans Ramchander Das was a Mahant. But I do not know at present that he belonged to Ayodhya or not.

I have referred about Tukria Das in my statement yesterday. He was a saint of Maharashtra. He was in year 1942. I knew him. He used to go to deliver discourses at various places. I have heard his discourses at some places. Ban was imposed on deliverance of the discourses by Tukria Das. He went to forest for delivering the discourses. Public went to forest for listening his discourses. Englishmen, along with their forces went to forest for listening the discourses of Tukria Das and to deter him to deliver the discourses. Tukria Das, at that time said that he was not delivering the discourses, but chanting a Bhajan. Upon this, Tukria Dasji was asked to stop the Bhajan. Tukria Dasji had asked for permission to chant a Bhajan. Tukria Das said that it would be last Bhajan for British force and Tukria Das. Tukria Das, on grant of permission, chanted a Bhajan. That Bhajan was highly revolutionary. Consequent to this British were burnt to fire and Tukria Das was sentenced to death. Jawahar Lal Nehru advocated the case of Tukria Das and got him free from charges.

I know about Kumbh. Kumbhs are held at four places – Prayag, Haridwar and Ujjain. Fourth place is in the south, the name of which is not known to me. On the suggestion made by Learned advocate cross-examining the witness, witness said that its name is Nasik. Kumbh-snan is organized at different times. Poorna Kumbh and Ardh- Kumbh are held after 12 and 6 years, respectively. Shahi Snan, a kind of procedure for bath of saints, is

organized during Kumbh. Sanyasies of various Akharas from different countries come to participate in Kumbh. I have seen them on this occasion. I do not know the names of these Akharas because there are a number of Akharas. Saints of various Akharas take bath in an order at Kumbh. There is Akhara Parishad, under Akhara, headed by a Chairman. I have no knowledge, if Mahant Gyan Das, is a Chairman of Akhara Parishad, at present or not. According to Jyotish Science, Kumbh falls at the occasion, in accordance with the Grih (Planet). One gets the special benefit by taking bath on this occasion.

Learned advocate cross-examining the witness draw the attention of witness toward Para-12 of his examination in chief affidavit. Witness after reading it said that it is written therein that Janamsthan has a special importance, which is being a birthplace of Shri Rama, is worship able. Volunteer that in this connection, I have written that *"Janambhoomi Mum Puri Suhawani"*.

I have written in this para that there is no need of Mahant and Sarvarahkar at divine places. At some places, Mahant or Sarvarahakars are appointed in advance and at some place they are appointed later. As such places, people used to take their own Poojari respectively. There is no need for a Mahant or Sarvarahakar for performing Pooja. I also have a temple of God in Uttaranchal. Raj-Rajeshwari is worshipped there. Rajeshwari is a Aadi Mata of the world. Its full name is *"Rajeshwari Tripun Sundari Mata"*. Worship is constantly being performed in the temple at my place. Three times' Aarti is organized in that temple. Bhog-rag is also organized at three times. I cannot say if similar type of Pooja and Aarti were organized at Ramjanambhoomi or not. Only person living at Ramjanambhoomi can tell about

this. Persons living at Ramjanambhoomi are devotees of God.

During the period 1938 to 1949, when I went to Ayodhya for darshan, there were a number of temples in between Hanumangarhi and the disputed site. I have seen these temples but I do not remember their names. I have done darshan at Sita Koop, Sumitra Bhawan and Lomash Ashram in 1938. All these temples were around the disputed premises.

Learned advocate cross-examining the witness draw the attention of witness towards Para -18 of his examination in chief affidavit. Witness said that on the occasion of all the festivals I have referred about Nawah path and Bhandara in this para. Devotees were organizing this path and Bhandara. I do not know if these devotees were local or outsiders. I have not seen the pillars of Kasouti there in 1938, although I have heard about it. There were no idols of brothers of Ramlalla in the building wherein idol of Ramlalla was. Idols of Kaushaliya and Ramlalla were there at that place. Hanumanji came later. A lot of Pooja-path was organized there. Only after that Hanumanji also came there. I have not seen that from which material an idol of Ramlalla or Hanumanji was made of, because I went there for darshan and not to enquire about the fact that from which material this idol was made of. There was an idol of God at Ramchabutra. I have just stated that whose idol was there on Ramchabutra. There was only one Ramchabutra and an idol of Rama was on it. Shiv Panchayatan, consisting Ganeshji, Parvati, Nandi and Shivalinga was there at the Chabutra opposite to Hanumat Dwar. I have given statement in the Court before this also.

Learned advocate cross-examining the witness draw the attention of witness towards picture document No.54/13 of Other Original Suit No. 1/89, Shri Gopal Singh Visharad V/s Zahoor Ahmed and others. Witness after seeing this picture said that how I can say anything about this picture of 1950 today . I do not remember if I had seen the scene appearing in this picture, when I went to see the disputed premises in 1938 or not. I am not recollecting such picture of a temple. Upon the suggestion given by Learned advocate cross-examining the witness , witness said, it would be scene of the portion under dome. Witness said that an idol is appearing in it but whose idol is this, I cannot say. It can be an idol of Ramlalla. He further said that an idol of Ramlalla is appearing in this picture. Picture of Kaushaliya is appearing in this picture.

Learned advocate cross-examining the witness draw the attention of witness towards document No. 154/10 of this suit. Witness after seeing this picture said that this is a photo of Ramjanambhoomi. This is a photo of entire temple. Eastern part of the temple is appearing in this picture. I am seeing this picture while facing to west.

Learned advocate cross-examining the witness draw the attention of witness towards picture document No.154/4 of the above suit. Witness said that a temple is appearing in this picture. Front portion is appearing in it. A number of idols are appearing in this picture.

I have in the last two lines of second Para at page No. 16 of my statement dated 18.7.2005, stated that "Mahant can or cannot accept the decision taken by Panchs". I have stated this on the basis of hearsay . I

have not given due consideration about its correctness or falseness.

I have not studied Vedas. I have heard that Maharishi Valmiki had written the Ramayana before the birth of Rama. Valmiki Ramayana was written during Tretayuga. Ramcharitmanas was perhaps written in 1631. In this connection a couplet is in vogue that "*Samvat Solah Sao Ekteesa Kar Kripa Hari Pad Dhariseesa, Naumi Bhoomvar Madhumasa, Avadhpuri Yeh Charit Prakasha*".

The places, which fall on the way to exile of Rama Chanderji still exists. There are Sringverpur, Prayag, Valmiki Ashram, Chitrakoot, Ashram of Anusua ji (Ashram or Aatri Rishi), Ashram of August Muni and Dandakvan. After Dandakvan, Ramchanderji went at the bank of Godawari. These places still exists, from which the period of Ramchanderji is remembered. I stayed at dharamshala when I went to Ayodhya in 1938 for the first time but I do not remember by which means I went there. Whenever I went to Ayodhya, I have, in addition to Hindu Shrines, not seen the religious places of other religion also.

I have heard the name of Nirmohi Akhara but I do not know the detail relating about it. I do not know any saint of Nirmohi Akhara. I know the advocate of this Akhara. I do not know this fact if Nirmohi Akhara had filed a suit in 1885 about the disputed site or not. I do not know if names of saints and Vairagies of Nirmohi Akhara at the disputed site are entered in the official records. I do not know whether saints of Nirmohi Akhara have performed the Pooja-path at the disputed site upto 1949 or not.

(Cross-examination of witness D.W.20/3 Brahmachari Ramrakshanand, by Shri Tarunjeet Verma, Advocate on behalf of plaintiff, Nirmohi Akhara of Other Original Suit No. 3/89 – concluded).

(Thereafter, Shri Ajay Kumar Pandey, Advocate on behalf of plaintiffs in Other Original Suit No. 5/89, said that he is not going to conduct Cross-examination of the witness).

(Thereafter, chance was given to Shri D.P Gupta, Advocate, on behalf of plaintiffs in Other Original Suit No. 1/89, to conduct Cross-examination of witness but he also said that he is not going to conduct the Cross-examination).

(Thereafter none other than Learned Advocate on behalf of other plaintiffs in Other Original Suit No. 4/89 and plaintiffs No. 4, 5, 6 and 26 in Other Original Suit No. 5/89 was present for conducting Cross-examination).

(Thereafter, Cross-examination, on an oath, of witness by Shri Abdul Mannan, Advocate, on behalf of plaintiff No.11 Mohd. Farooq Ahmed – begins).

XXX XXX XXX XXX

I will not be able to tell that how many lakh of years or crore of years back Rama was born. Volunteer: that he has taken birth in Tretayuga. The period of Tretayuga was for 12 lakh years. Tretayuga was before Kaliyuga and Dwaperyuga. Both these yugas have since been passed away. Period of Kaliyuga is four lakh years. Satyuga will come again after Kaliyuga. Kaliyuga is running at present. It is the beginning of Kaliyuga. I cannot say that how many parts or years of Kaliyuga have since passed away. I am a devotee of Ramachanderji . Ramachanderji would

have been born in Satyuga in different form. I am sure that Ramachanderji has taken birth in Satyuga. Satyuga was before the three yugas. Period of Satyuga is for 16 thousand years. Further said it is for 16 lakh years. Treta is for 12 lakh of years and Dwaper is for 8 lakh of years and Kaliyuga is for four lakh years.

Question: How many lakhs years back Ramchanderji was born?

(Upon this question, Kumari Ranjana Agnihotri, Advocate of defendant No. 20 in Other Original Suit No. 4/89 and Shri Ajay Kumar Pandey, Learned Advocate in Other Original Suit No. 5/89 have raised an objection that this question is being asked time and again. Hence this cannot be allowed).

Answer: Witness after calculating, said that Ramchanderji was born about 20-22 Lakh years back from to day.

Ramchanderji was about 28-29 years old when he went to Lanka. He went to Lanka from northern India because Lanka is situated in the south direction. He did not go to Lanka via southern India because Lanka is situated in south direction. Ramchanderji reached Lanka in 13 years from Ayodhya.

Question: Did it take eight days to Ramchanderji to reach Lanka from Rameshwaram?

(Upon this question Learned Advocate Shri Ved Prakash, on behalf of plaintiff in Other Original Suit No. 5/89, has raised an objection that question asked for is

not related to the suit and no point was detailed in about this. Hence such question cannot be allowed).

Answer: I cannot say how many days it took to reach Lanka from Rameshwaram. Ramchanderji had sent an envoy to Lanka before battle had started.

Question: How many envoys were sent to Lanka?

(Upon this question Learned Advocate Shri Ved Prakash, on behalf of plaintiff in Other Original Suit No. 5/89, has raised an objection that neither any suit point was detailed on this subject nor this subject is related to the suit subjudice in the Court. Hence permission cannot be granted to ask such question).

Answer: Angad was deputed as envoy from the side of Ramchanderji.

One envoy named Shuknam came from the side of Ravana. Volunteer that Vibhishana, brother of Ravana also joined the side of Ramchanderji, leaving his brother Ravana. I cannot say that for how many days Vibhishana stayed with Ramchanderji. Ramchanderji did not stay in south India. He straight away entered Lanka. It took four-five days to Ramchanderji to cross the sea.

Verified the statement after reading

Sd/-

Ramrakshanand

19.7.2005

I have dictated to stenographer who typed it in open court. Furtherance to this the suit may be fixed for further Cross-examination for 20.7.2005 before the Hon'ble Full Bench.

Sd/-

(Hari Shankar Dubey)

Commissioner.

19.7.2005



**Before: Hon'ble Special Full Bench, High Court,  
Lucknow Bench, Lucknow.**

**Dated 20.7.2005**

**D.W. 20/3 Brahmachari Ramrakshanand**

(In continuation to dated 19.7.2005, Cross-examination on an Oath of D.W. 20/3, Shri Brahmachari Ramrakshanand, by Shri Abdul Mannan, Advocate on behalf of plaintiff No.9 and 10/1, Mahmood Ahmed and Mohd. Farooq -begins).

Hanumanji after entering into Lanka, stayed in Lanka till the end of war. Then said, he stayed there till Sita was brought back. It took maximum two hours to God Rama to bring Sita back. Hanumanji went to Ashok Vatika, where Sitaji was kept. After release from Sri Lanka, Sitaji came back to Ayodhya, India by a Pushpak Viman. On the way, Sitaji stayed at Rameshwaram and after taking darshan of God Rameshwara, came to Ayodhya. Sitaji, on the saying of Rama, get down from the Pushpak Viman and bowed before God Shankar. From Rameshwaram, Sitaji on the way, went to Ashram of Augustaya Muni and worshipped Gangaji at the place of Nishadraj. Arrival of Sitaji was celebrated in Ayodhya. Ramchanderji and all the *Vanars* were along with Sitaji. From that time onwards Diwali is celebrated on this occasion. Ramchanderji was coroneted to the throne of Ayodhya during these ten days. I do not remember the day and date of coronation. Lav and Kush were not born at the time of coronation. Lav and Kush has been described in Valmiki Ramayana and not in Ramcharitmanas.

Question: After how many days, after Ramchanderji came back to Ayodhya, Lav and Kush were born?

(On this question, Lawyer of witness has raised an objection that question asked for, is not relevant).

(Objection of the Lawyer of witness is correct hence this question is repealed).

Question: According to the Valmiki Ramayana, how many days after Ramchander's return, Lav and Kush were born?

Answer: I do not remember about Valmiki Ramayana.

Ramchanderji, after coming back to Ayodhya from Sri Lanka, lived a life for about 10,000 years. He ruled over Sri Lanka for 10,000 years. Shri Ramchanderji did not die. He along with the entire population of Ayodhya City went to abode. Even little insects went with him. None stayed back. Hanumanji also went with him. I cannot say whether anyone was left behind in Ayodhya after Ramchanderji went from Ayodhya.

(Cross-examination, on an oath, of D.W.20/3, Shri Brahmachari Ramrakshanand, by Shri Abdul Mannan, Advocate on behalf of plaintiff No.9 and 10/1, Mahmood Ahmed and Mohd. Farooq –concluded).

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

XXX XXX XXX XXX

I cannot say that for how many days Ayodhya remain deserted after Ramchanderji went abode. I also cannot say who and after how many days, rehabilitated Ayodhya. I also do not know whether it is mentioned in the Valmiki Ramayana that for how many days Ayodhya will remain deserted and which king will rehabilitate it. I have read the Hindi version of Valmiki Ramayana. I do not know Sanskrit. I have studied the Sanskrit but a little and have not got any degree. Now I feel difficulty in reading Sanskrit and I cannot understand Sanskrit.

After seeing Hindi version of couplet No. 10 at page 830 of Canto No.111 of Uttarkand of Valmiki Ramayana, witness said that It is written therein that- "After Ramchanderji, King Rishabha will rehabilitate Ayodhya". I agree with this article. I do not know whether King Rishabha was a Jain Teerthankar or not. I do not know if he was a King of Ayodhya or not and when and how many thousand years back he was born. I cannot say how many years back from today Ayodhya was rehabilitated.

I have not heard the name of King Vikramaditya. I know about Vikrami Samvat but have not much knowledge about it. I do not know which Vikrami Samvat is running at present. I know about the Christian era year running at present. Year 2005 is running at present.

Date of birth of Ramchanderji and month of Chaitra, described in Ramcharitmanas, is not according to Vikrami Samvat or Christian era. I have read Ayodhya Mahatamya in original, described in Ramcharitmanas and Skand Puran. I can read and write the original Avadhi language of Ramcharitmanas. I have read Hindi version of Skand Puran. Except above two books, I have not read any scripture evidences. The reference about scripture

evidences given in Para -12 of my affidavit, was taken from Ramcharitmanas and Skand Puran.

I have referred "Nawahan Path" in Para -18 of my affidavit. This means chanting Ramcharitmanas written by Tulsidass, for nine days. I only have heard about Nawahan Path. The faith for lakhs of years about the birth of Ramchanderji, which I have referred in Para -12 of my affidavit, however I cannot calculate it, it is approximately. This faith was started after the birth of God Shri Ramchanderji. There was a palace of King at the birthplace of God Rama.

Palace of King, I mean a palace of King Dasratha. There is no reference in Ramcharitmanas about the site, area and surrounding area of the palace of Dasratha in Ayodhya. These were also not described in Valmiki Ramayana.

As per my faith, Dasratha palace was at the same place where there is a present building by the name of Dasratha palace or Bara Sthan, in Ayodhya. I cannot say at what distance, present Dasratha palace or Bara Sthan in Ayodhya is from the disputed site.

The main buildings/temples in Ayodhya, which I have seen are – Dasratha palace, Kekai Bhawan, Sumitra Bhawan, Kaushaliya Bhawan. I cannot say at what distance from the disputed site, Kekai Bhawan is. Similarly I cannot say at what distance from the disputed site, Kaushaliya Bhawan and Sumitra Bhawan are. I have not seen these buildings after 1949. So far I remember, I did not go to Ayodhya after 1949. I went to Ayodhya recently on 5<sup>th</sup> July 2005; thereafter I did not go to Ayodhya. After 1949, I went to Ayodhya in July 2005 and

not in between. I went to Ayodhya on 5<sup>th</sup> July 2005 in the noon. There was no disturbance on 5<sup>th</sup> July 2005. It is not correct that darshan could not be possible due to disturbance on 5<sup>th</sup> July 2005. Disturbances happened after I took the darshan. There was no disturbance in the disputed site on 5<sup>th</sup> July 2005 up to noon. I have taken darshan. Disturbances must have taken place later on. I do not know Manas Bhawan situated at Ayodhya. I have heard and seen Sita Koop. I cannot say in which direction of the disputed site, Sita Koop is. I know about the importance of Sita Koop.

This was constructed by King Dasratha. One can get free from his misdeeds by drinking the water or taking bath in the water of Sita Koop. This Sita Koop is continuing since the time of King Dasratha. I cannot say whether Sita Koop is made of stones or any other material. I have seen it full of water. I neither have drunk its water nor taken bath in its water. I have seen Sita Koop in 1949 also, when I visited Ayodhya.

I cannot say if I went to disputed side from the side of Hanumangarhi or Dorahi Kuan in 1949 or before that. I know that there is route towards the disputed site from the Hanumangarhi and which leads further to Dorahi Kuan. Disputed site is in the north of that route. I am not recollecting if Ramjanamsthan or Sita Rasoi is across the northern road of the disputed site. Manas Bhawan is also at the road leading from Hanumangarhi to disputed site. I do not remember, on which side of this road, Manas Bhawan is situated. But I know that Kaushaliya Bhawan and Kekai Bhawan are in between Manas Bhawan and Hanumangarhi. I cannot say that in which side of that route, the Kaushaliya Bhawan and Kekai Bhawan are

situated. I cannot say whether Sumitra Bhawan is situated on this way or at a distance from this route.

I have seen the idols of mother Sumitra and Lakshmanji, an incarnation of Sheshavtar in the Sumitra Bhawan. I will not be able to tell if Sumitra Bhawan is bigger, small or equal to the building with three domes at the disputed site. This Sumitra Bhawan is also continuing since the time of Dasratha. This was a palace of his queen Sumitra. I did not notice, if this Sumitra Bhawan is made of stone, cement or bricks. I cannot say if the idols of Lakshmanji or Sumitaji in the Sumitra Bhawan are made of stone or marble or some of other metal because it was decorated. As such I could not see those idols. Faces of the idols were visible only. But it was difficult to assess from which material these were made of. I cannot say about the height of these idols. I cannot even guess about the height of these idols, whether these were 6 inches, one and half feet or more in height. Idol of Lakshmanji was of his childhood. I went to Sumitra Bhawan after visiting disputed Bhawan but I cannot say at what distance from the disputed Bhawan, Sumitra Bhawan is. I cannot say whether Sumitra Bhawan is at a distance of 100-50 yards or 1-2 Kilometer from the disputed Bhawan. Sumitra Bhawan was in the south of the disputed site. Lomash Ashram falls in the way from Sumitra Bhawan to disputed site. I cannot say if Lomash Ashram is called Lomash Chaura. I do not remember that in which direction from the disputed site, Lomash Ashram is.

I have not seen Samadhies and graves around the disputed site. I went to the disputed site from southern side. There was a large gate with sheets at south side.

Witness after seeing picture No. 152, 153, 154 and 155 of colour album, document No. 200 C-1 with care and said that I have seen the things appearing in picture No. 154 in the building with three domes of the disputed site. However, I cannot say under which dome, among the three domes, I have seen the articles, shown in picture No. 154. Witness after seeing picture No. 61 of this document, said that I do not remember if I have seen the articles, shown in this picture, at the disputed site or not. Upon seeing picture No. 59 and 60, witness said that I do not know at which place at the disputed site, these articles were because I have seen these articles 50 years ago. Therefore I do not recollect at which place these things are located. The witness after seeing picture No. 56 and 57 of this album said that I have seen the articles shown in these pictures, 50 years back. I do remember that these articles were not under a dome but at which place of the disputed site, I cannot say. I do not remember if I have seen the articles, shown in the picture No. 70, 71, 72 at the disputed site or not. I am not in a position to say about this. (Witness said that I am not feeling well at present).

Since the witness said - that he was not feeling well, so further Cross-examination is postponed for tomorrow i.e. 21.7.2005.

Verified the statement after reading.

Sd/-  
Ramrakshanand  
20.7.2005

I have dictated it to stenographer who typed it in Open Court. Furtherance to this the suit may be listed for further Cross-examination for 21.7.2005.

Sd/-  
20.7.2005

**Before: Hon'ble Special Full Bench, High Court,  
Lucknow Bench, Lucknow.**

**Dated 22.7.2005**

**D.W. 20/3 Brahmachari Ramrakshanand**

(In continuation to dated 20.7.2005 Cross-examination on an oath of D.W. 20/3 Brahmachari Ramrakshanand by Shri Zaffaryab Jilani, Advocate on behalf of Sunni Central Board of Wacf, plaintiff No.1 and 6/1, Jiyauddin and 8/1 Maulana Mahfuzurrehman - begins).

Picture No. 107 of black and white album, document No. 201 C-1 was shown to the witness. Witness after seeing it said that this is a picture of a wall opposite to dome of the disputed building. After seeing picture No.20 of this album, witness said that this is a picture of a part of Ramjanambhoomi but which part is appearing in it, I cannot say. After seeing the picture No. 10 of this album, the witness said it appears if some water body is flowing there. This is a picture of the disputed site but I cannot say which part, either outer or inner part, is appearing in it.

Picture document No. 154/9 filed in the Other Original Suit No.1/89 was shown to the witness. Witness after seeing it said that the eastern gate of the disputed building is appearing in this picture. I cannot say whether this eastern gate is called a Hanumat Dwar or not. Witness after seeing a picture document No. 154/13, filed in the suit said, that a photo of God Ramlalla is appearing in this picture. But I do not know which part is appearing in this picture. An idol of God Shri Ramlalla is appearing in this picture. A throne, kept on the stairs, of God Rama



is appearing in this picture. These stairs were under the dome of the disputed building. But I cannot say whether these stairs were under the mid dome, northern dome or southern dome. I went in to the dome inside the disputed building to take darshan of God Rama. Idol of Rama was there in the same posture, as shown in this picture.

Learned advocate cross-examining the witness draw the attention of witness towards para -20 of his examination in chief affidavit. Witness after seeing it said that the idol of Shri Ramlalla, which I have referred therein was the same idol, which is shown in this picture, document No. 154/13 (Other Original Suit No. 1/89). I have in Para -20 of my affidavit said that an idol of Ramlalla was there since ever. From this I mean the same type of an idol was there during the time of Shri Rama, as appearing in this picture. In my view an idol of God Shri Ramlalla was there since the beginning i.e. since the time of Ramchanderji; in the same posture. Disputed building and stairs, appearing in this picture, has been there since the time of God Rama.

On this subject, attention of witness was drawn towards couplet given in Para 13 of his examination in chief affidavit, couplet next to couplet No.191 of Balkand of Ramcharitmanas. Witness, after reading it from Ramcharitmanas, said that the entire couplet was about the appearance of God Shri Rama. Only the first line of the couplet contains the fact about appearance of God. In the next lines the appearance of God was exhibited. Taking birth and appearance are two separate things. Then said -that there is a difference in between birth and appearance. The fact about appearance written in the couplet is about the birth of Rama. Volunteer that Shri Rama was not born to a human being. He appeared

himself. It was stated in the second line of this couplet that Kaushaliya became jubilant after appearance of God Shri Rama. This means that God Shri Rama appeared in the palace of Kaushaliya. It can be guessed from the second line of this couplet that God Shri Rama appeared in the palace of Kaushaliya. In the subsequent lines celebration organized thereafter is described. I think that Kaushaliya palace was the same place during the time of King Dasratha, where it is at present.

Learned advocate cross-examining the witness draw the attention of witness towards fifth line (page -587) of couplet No. 3-C of Ramcharitmanas. Witness after reading it said that specialty of Ayodhya is being described by Rama in this couplet. He is saying that Ayodhya is my birthplace. In the couplet above to it, the word "Avadhuri" was used, which means Ayodhya. Besides the above two couplets, birth of Shri Rama is also described at other place in Ramcharitmanas. Learned advocate cross-examining the witness has asked the witness that at which place in Shri Ramcharitmanas, birthplace of Janambhoomi has been described. Witness after reading the above book said that there is a reference in the third couplet next to couplet No.192 of Balkand that "*Dasratha Putra Janm Sunikana, Manhu, Brahmanand Samana*". Similarly there is a reference about Avadhuri in the third line next to couplet No. 194 of Balkand of Ramcharitmanas. This is relating to Janambhoomi.

Question: Is there any reference about the specific birthplace of Shri Ramchanderji in Ramcharitmanas, at any place other than the above mentioned couplets referred by you. If so, Please give detail of these couplets?

Answer: The reference about the birthplace of Shri Rama is available at three places in these couplets. In the rest, celebration organized after the birth was described meaning about the festive sprit etc .

Question: Is it correct to say that only Ayodhya City has been referred in Ramcharitmanas in connection with the birth of Shri Ramchanderji and there is no reference about a particular place about which it can certainly be said that where is the specific place was in Ayodhya where Rama was stated to be born?

Answer: It is stated in Ramcharitmanas that God Shri Rama was born in Dasratha palace. This is the same Dasratha palace, which is situated in Ayodhya even to day. Witness, in this connection, has read couplet No. 297 of Balkand and said that there is a reference about it in this couplet.

In the statement which I have given on 20<sup>th</sup> July 2005 in this Court, I have said that detail of birth of Lav and Kush has been described in Valmiki Ramayana and not in Ramcharitmanas. It is not completely correct because Lav and Kush have been referred at one place in Ramcharitmanas too.

The period of Satyug, Tretayug, Dwaperyug and Kaliyug is 17 Lakh 28 thousand years; 12 Lakh 96 thousand years; 8 Lakh 64 thousand years; and 4 Lakh 32 thousand years respectively as described in Manusamriti, would be correct. The period of three yuga about which I have referred at page No. 29 was based on the presumption and not on the books. I have used the word "ancient time" in para 21 of my affidavit, which I mean the

time when Shri Ramchanderji was. I have written the sentence – “ I have heard from Guru Maharaj ----- Shri Ramjanambhoomi site” in Para 14 of the affidavit is based on the saying of my Guru “Shankaracharya Swaroopanandji”. I myself have not read Skand Puran. I have not read Ayodhya Mahatamya of Skand Puran which has been referred in Para -14 of above affidavit.

I have read the Hindi version of Valmiki Ramayana. I have read Valmiki Ramayana but a little. I cannot say whether there is a reference in Valmiki Ramayana about specific birthplace of Rama in Ayodhya. It is correct that there is a reference at a number of places in Valmiki Ramayana about the birth of Rama in Ayodhya. Area of Ayodhya has been detailed in the above Valmiki Ramayana that Ayodhya is spread over to 184 Km. in length. Width of Ayodhya has also been described therein but I do not properly remember it at present. I cannot say if width and length of Ayodhya has been described in Yojan or not. So far I understand its length and width is detailed in Km.

(Witness read out the Hindi version of 7<sup>th</sup> couplet of fifth Canto of Balkand of Valmiki Ramayana, published by Gita Press Gorakhpur, document No. 261 C-1/1). Length and width of Ayodhya has been described in it in Yojan, which is correct. I cannot say how many Km. are there in a Yojan. Birth of Shri Rama has been described in 10<sup>th</sup> couplet of 18<sup>th</sup> Canto of Valmiki Ramayana. It was referred therein that Kaushaliya Devi had given birth to Jagdishwar Shri Rama. Appearance of Rama has not been described therein. Taking birth was described therein. One writer or poet has referred the appearance of Shri Rama and another writer/poet has referred about taking birth. In my view, taking birth as described in the

said 10<sup>th</sup> couplet, is not a birth but an appearance. Birth of Bharat, Lakshman and Shatrughan has been referred in couplet No.13 and 14 of 18<sup>th</sup> Canto of Balkand of Valmiki Ramayana and rituals etc. in respect of birth of these four persons, have been referred in the subsequent couplets. I cannot say whether there is a reference about any particular birthplace of Shri Rama in Ayodhya in the 18<sup>th</sup> Canto of Balkand of Valmiki Ramayana or not, because I have not studied Valmiki Ramayana in depth.

I have in my earlier statement (Page-11) said that I have heard Valmiki Ramayana and Skand Puran. From this, I mean, I have heard it from the person. I have, at the same page stated that I have studied Ramayana, Gita, Ramcharitmanas, Upnishad and Gitawali. I have studied these books in the same manner in which I have heard Valmiki Ramayana. I cannot, at present say that if I have studied any other book other than above books about Shri Rama.

Witness after reading the word "Chhatti Manjul Mathi", used in the third line at page -29 of Gitawali : written by Goswami Tulsidass, published by Gita' Press Gorakhpur, document No.46 C-1/1-1, said that I cannot express its literal meaning and free meaning., Witness after reading the word "*Nrip Bhawan-Dwar*" used in the last but first line at page 72 and first and second line at page 46 of this book, said that I cannot explain its meaning.

It is not correct to say that I did not go to the disputed site before 1950. It is also not correct to say that there was no idol in the disputed building on 22<sup>nd</sup> December 1949. It is also not correct to say that Pooja and darshan were not being performed in that building up to 22<sup>nd</sup> December 1949. It is also not correct to say that

Namaz was being performed there in the disputed Bhawan and it was being used as an mosque up to 22<sup>nd</sup> December 1949. It is also not correct that disputed site is not a birthplace of Shri Rama. It is also not correct that there was a Babri Mosque at the disputed site and Ramjanambhoomi was never there. Volunteer that there was no building by the name of Babri.

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

Verified the statement after reading

Sd/-

Ramrakshanand

22.7.2005

In continuation to this the suit may be fixed for further Cross-examination for 23.7.2005 before the Commissioner Witness to present.

Sd/-

22.7.2005

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

**Dated 25.7.2005**

**D.W. 20/3, Brahmachari Ramrakshanand**

(Commissioner appointed by Hon'ble Full Bench vide order dated 22.7.2005 in Other Original Suit No. – 4/89).

(In continuation to dated 22.7.2005, Cross-examination on an Oath of witness, D.W. 20/3, Shri Brahmachari Ramrakshanand, by Shri Mushtaq Ahmed Siddiqui, Advocate on behalf of plaintiff No.7 in Other Original Suit No. 4/89 -begins).

I have renounced the family life in 1985. Since then I became a disciple of my Guru and became indifferent to the worldly things. I am living at Joshimath in Uttarakhand since 1985. Before this I have been living in Siwani District of Madhya Pradesh. My wife and children were living with me till the time when I was leading a family life. I got married in 1937. I left my family after taking Sanyas in 1985. My ties with my family snapped after I took sanyas in 1985. I do remember all the facts about my family prior to 1985. My father died in 1933. My mother died in 1957. I did not get full education during the lifetime of my father because there were no schools during that time. I do not know whether my mother was literate or not. My father was literate but a little. He had the knowledge of Hindi. My father had no knowledge of any language other than Hindi. Now, I have two sons. My third son has since died.

Question: When did your third son die ?

(Upon this question, Ms. Ranjana Agnihotri, Learned Advocate in Other Original Suit NO. 4/89, has raised an objection that this question is not related to any point of suit. Hence it cannot be allowed).

(Learned advocate cross-examining the witness, in reply to above objection, said that Cross-examination is neither limited to any point nor to the contents of main examination. Hence such question can be asked).

Answer: My third son died in 2004.

I am quite well. My elder son is a Lawyer in Chhatisgarh. My elder son, after completion of his education, was appointed as a Manager in Mines. Thereafter he started practicing Law. I used to meet him even after 1985. I usually talked to him over phone. My younger son is doing farming in the village. I do not remember when my elder son has joined the service. He started practicing Law, three years back.

India was not independent earlier. Countrymen had to fight and sacrificed a lot to get independence. Struggle for independence was launched under the leadership of Gandhiji, Nehruji and others.

My father had taught me Bhajan under religious subjects. Besides this, he used to teach me about daily rites of a Brahmin. My father had not taught me any subject. He used to tell me only about the daily rites on the basis of his experience. My mother used to teach me Bhajan during my childhood. My mother had taught me only those things, which her mother had taught her. There was no school in the village, till I was in the age of learning. My father had not got the school opened for the



education of children before independence. I have studied in this school, from Class -1<sup>st</sup> to Class -4<sup>th</sup>.

I do not not remember in which year I appeared in the examination of Class -4<sup>th</sup> because it is too old to remember. I went to Siwni for getting education in Sanskrit school. I could not get admission there and my education discontinued after six months. I am talking about 1934-35. I was in the school, during the earthquake. I am not taking education after taking Sanyas in 1985 but I am serving. Before taking Sanyas, I was in the village and used to do farming. Zamindari system since has been abolished in Madhya Pradesh. I do not remember in which year Zamindari system was abolished. My father was a Sadar Nambardar of the village. Being a Sadar Nambardar, my father used to recover land revenue from the whole village. This system discontinued after the death of my father. Hence I did not recover land revenue.

Learned advocate cross-examining the witness draw the attention of witness towards Para -6 of his examination in chief affidavit. Witness after reading this para said that I got the education of Naishtik-Brahmacharya in 1985. I go the education of Naishtik-Brahmacharya only. I have written in Para -7 of my examination in chief affidavit that I am trying to accomplish the obligation of protecting Hindu culture. This means I am propagating the Sanatan Dharma. I have started this work from the year in which I was initiated. Sanatan Dharma means a religion continued since Suryakul, Chandrakul and Yadukul and still continued. My Guru daily used to tell all these things to me. In this regard I have read Gita, Ramayana etc. and also heard from people about the Sanatan Dharma. Sanatan Dharma

was referred in Uttarkand of Ramayana. Ramayana, I mean, Ramcharitmanas.

Learned advocate cross-examining the witness draw the attention of witness towards Ramcharitmanas written by Tulsidass, document No. 258 C -1/2 and asked that at which place in Uttarkand, Sanatan Dharma has been referred. Witness after seeing Uttarkand of the book, said that this is written in Sortha No. 89(A) and 89(B).

I do not know English language. I have stated in my statement that "taking birth" and "appearance" are two different things. Incarnation is related to appearance. Taking incarnation and appearance is one and same thing.

I came to know about the suit, in which I am giving statement, on coming to Lucknow. I came to know about this suit on 18<sup>th</sup> July 2005 only, when I submitted my affidavit in this Court. I knew that a suit was going on. I do not remember, when, for the first time, I came to know about the suit. I got this information from the newspapers.

I do not know the meaning of convener. I have not heard the name of Madan Mohan Gupta.

I have been to Kashi at a number of times. Kashi is also a holy place. I went there for 100-50 times. Then said that I went there for 10-5 times. I do not remember when I went to Kashi for the first time. I do not remember that in which year and after how many years, I went to Kashi. I take darshan after reaching Kashi. I take bath in Ganga. It is written in the scriptures that one can get salvation by taking bath in Kashi. I have no knowledge about Vairagi Sect and Ramanandiya Sect. I know only

about my own Sect. Sect propagated by Aadi Shankaracharya is the Sect of mine. "Adwaitvad" is the principle of Shankaracharya. He also believes in the worship of Panch Devas. Vairagi Sect and Ramanandiya Sect are different to my Sect.

Learned advocate cross-examining the witness draw the attention of witness towards document No. 44 C -1/1 to 44 C -1/8 filed in Other Original Suit No. 3/89. Witness said that I have heard the name of book called "Shriramjanmbhoomi Ka Rakt Ranjit Itihas". I do not remember whether I have read this book or not. I cannot say whether the matter written in this book is correct or not. The name of the writer of this book, Shri Ram Gopal Pandey "Shaarad" is written in document No. 44 C -1/1. I did not meet him. I have no knowledge about him.

Learned advocate cross-examining the witness draw the attention of witness towards a part at page No.13 and 14 of document No. 44 C -1/2 and 44 C -1/3 of Other Original Suit No. 3/89 - "After victory over Lanka ----- uproot and take these to Ayodhya". Witness said that I have no knowledge about the facts written therein. I have not heard if there were 84 pillars in Ramjanambhoomi or not.

Learned advocate cross-examining the witness draw the attention of witness towards document No. 44 C -1/3 (page No. -15) of the above book. Witness after reading it said that I have no knowledge about the facts written therein.

Learned advocate cross-examining the witness draw the attention of witness towards document No. 44 C -1/5 (page No. -33) of the above book, "At that time king of

Ayodhya, Mansingh had-----on which God was reinstalled". Witness said that I have heard about the facts written in these lines. In my view the facts written in these lines are correct.

Learned advocate cross-examining the witness draw the attention of witness towards document No. 44 C -1/6 (page No. -34) of the above book. Witness after reading it said that the facts written at this page are correct. Incident of dated 27<sup>th</sup> March 1934 has been described at this page. I came to know about this but when, I do not remember. However the detail of incident given therein is correct.

Learned advocate cross-examining the witness draw the attention of witness towards document No. 44 C -1/7 (page No. -95) of the above book. Witness after reading it said that the incident of appearance, dated 22.12.1949, written therein is correct. I came to know about the incident but when, I do not remember. I have heard about the incident of dated 22.12.1949, mentioned therein, after 1985. I do not know in which form God Shri Rama appeared. But I have heard about the incident. Attention of witness was drawn towards a part of para second at this page "Vishwa Hindu Parishad in 1984----- have to postponed due to brutal murder of Indira Gandhi, Prime Minister. Witness after reading it, said that the matter written therein is correct. I came to know about the facts written therein, later. About this, I came to know after the incident of unlocking.

Learned advocate cross-examining the witness draw the attention of witness towards document No.110 C -1/52 to 110 C -1/56 filed in Other Original Suit No. 5/89. Witness said that I have heard about the book (page No. -

15) of the above book "Shriramjanmbhoomi - Rakt Ranjit Itihas", written by Ram Raksha Tripathi. The facts written in this book are correct.

Learned advocate cross-examining the witness draw the attention of witness towards document No.110 C -1/54 (page -8) of the above book "in the 64<sup>th</sup> generation of Surya Vansha-----that Ravana, was a different than the Ravana who was contemporary to Rama. Witness said that I have no knowledge about the matter written therein.

I have not heard the name of Maharaja Aranya Dev. With this reason, I have no knowledge about the "Raj Prasad" constructed by him. I have no knowledge about the suit, in connection with the present dispute. I do not know about the other suits concerning to this matter. I know that Muslims are a party to this suit.

It is not correct to say that I did not go to the disputed site before 1950. It is also not correct to say that the building constructed at the disputed site, which was demolished on 6.12.1992, was a mosque. It is also not correct to say that site is still a mosque. The building which was constructed in 1528, was not a mosque. I cannot say if before a temple was there or not. It is not correct to say that regular Namaz was being read there up to 22<sup>nd</sup> December 1949. It is not correct to say that conspirators have raised a dispute by putting idols in the disputed building in 22<sup>nd</sup> December 1949.

(Cross-examination on an Oath of witness, D.W., 20/3, Shri Brahmachari Ramrakshanand, by Shri Mushtaq Ahmed Siddiqui, Advocate on behalf of plaintiffs of Other Original Suit No. 4/89 -concluded).

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

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

Verified the statement after reading

Sd/-

Ramrakshanand

25.7.2005

I have dictated to stenographer who typed it in an open court.

Sd/-

(Hari Shankar Dubey)

Commissioner

25.7.2005