

Hon'ble Rajiv Sharma, ACJ.

Hon'ble Manoj Kumar Tiwari, J.

Mr. S.N. Babulkar, Advocate General with Mr. B.S. Parihar, Standing Counsel for the State.

Mr. Ravi Babulkar, Advocate for respondent no.3

Mr. Rakesh Thapliyal, Addl. Solicitor General for the Union of India/respondent no.1.

Since the petitioner was not present in the Court, Mr. Dushyant Mainali, was appointed as Amicus Curiae to assist the Court.

Present Public Interest Litigation has been filed for restoration of Samadhi of *Adi Shankracharya Ji* near Kedarnath temple. The Samadhi was completely destroyed in Kedarnath tragedy taken place in the month of June, 2013.

Adi Shankracharya Ji was a philosopher and theologian. He unified and established the main currents of thought in Hinduism. He traveled widely. He was born in Village Kaladi in the State of Kerala. He played a very important role in spreading the messages of *Sanatan Dharma*. His classic commentary is on Brahma Sutra, i.e. fundamental text of the Vedanta school of Hinduism. He has also made commentaries on ten Mukhya (principal) Upanishads. He has also authored Upadesasahasri. He lived in the era of late classical Hinduism. He advocated the oldest concept of Hinduism which explains the unification of the soul (Atman) with the Supreme Soul (Nirguna Brahman). He has also popularized "Advaita Vedanta". One of the Shankracharya's most important works was to synthesize the six sub-sects, known as "Shanmata". This expression literally translates six religions.

He ordered setting up of "Shringeri Math" in Rameshwar in South and one Sureshwar was appointed as the Head of the Math. He also ordered establishment of "Sharda Math" in

Dwarka Dham in West. "Goverdhan Math" was set up in Puri Dham in East and "Acharya Padampad" was appointed as the Head of the Math. He also ordered to establish "Jyoti Math" in "Jyoti Dham" in North and appointed Acharya Trotak as its Head. He retired to Himalayas at the young age of 32 years and entered a cave near Kedarnath. Kedarnath is a Hindu pilgrimage site in the State of Uttarakhand. The Samadhi of Adi Shankaracharya was built near Kedarnath temple. Samadhi was also revered by the pilgrims visiting Kedarnath. Samadhi of *Adi Shankracharya Ji* swept away in the Kedarnath tragedy which took place in the month of June, 2013. Thereafter, it has not been repaired.

It is in these circumstances that the present writ petition has been filed.

Learned Advocate General was directed to seek instructions in the matter during the course of the day.

He has sought instructions and apprised the Court that necessary permissions /sanctions have been obtained from the Competent Authorities. It has also been apprised that necessary budget has already been allocated. We were also informed that the District Administration has started the work to restore the Samadhi of *Adi Shankracharya Ji*.

Accordingly, the writ petition is disposed of and the respondents/State is directed to restore the Samadhi of *Adi Shankracharya Ji* positively within a period of one year from today at Kedarnath.

The District Administration is also directed to ensure that the local traditional hill architecture is taken into consideration while repairing/restoring the Samadhi of *Adi Shankracharya Ji* and also to ensure that the architecture merges with the surrounding landscape.

(Manoj Kumar Tiwari, J.) (Rajiv Sharma, ACJ.)

10.10.2018