

::RAM MANDIR CASE::

ARGUMENT BY C.S. VAIDHNATHAN (SR. ADVOCATE)

Mr. C.S. Vaidhnathan, Sr. Advocate appearing for Bhagwan Sri Ram Virajman commenced his argument as follows:

- Mr. CSV read, described and argued the relevant portion of Skand Puran. CSV stated that Lord Ram was born in Ayodhya and there is no doubt about that. He read the relevant portion of Skand Puran stating that after taking holy bath in Saryu River the devotee gets benefit of darshan of divine Ram Janam Bhoomi.
- Justice DY Chandrachud stated that the portion which you are reading speaks about Ram Janam Bhoomi, however, it doesn't talk about any Deity (Devta), on which CSV said that Ram Janam bhoomi is itself a deity.
- Justice Bhushan made a query about the exact time when the above shloka came in existence on this CSV said that regarding exact time there may be argument but it is sure that came much more before 1500.
- Thereafter CSV referred William Finch, C.S. Vaidyanathan said that early travelers to India like William Finch and William Hawkins made references in their writings about Ayodhya. William Foster published the book "Early Travels in India" which contains accounts of seven English travellers to India. The books describe Ayodhya and building of Ram temple.
- CSV argued that Tiefenthaler refers to two accounts one of demolition by Aurangzeb and second by Babur, but it is clear it was demolished before 1786. He further stated that who demolished the temple wouldn't matter for us as it proves that the temple existed. What is important about the document is that it identifies the Janmasthan and that a mosque was put up at the site of the Ram temple.
- On Court's question as when was the temple called Babri Masjid came into existence, Vaidyanathan said that In the 19th century it was called Babri Masjid. Before that, there was nothing to prove or show it was called Babri Masjid. Before 1786 there is no document to show this was known as Babri Masjid.
- CSV said that from the above reference it is quite clear that dispute place was the place of birth of Lord Rama and mosque was built after demolishing the temple.
- Justice Bobde asked about Babarnama, CSV replied that its silent on janamsthan.

- Dr. Dhawan said that Pages of Babarnama are missing, therefore, it is silent on temple/mosque, on which one of the advocate appearing for one of the party in present case replied that only two pages are missing.
- CSV said that faith of the people is Lord Rama. From the historical facts I am establishing the faith and belief of people for religious significance, the divine significance of the place holds to people and in this context, these works by Europeans are being relied upon.
- CSV shown the Sita Rasoi, Chabutara, Hanumant Dwar and other abstract from Map, he elaborated Parikarma marg.
- Thereafter CSV read the relevant documents/exhibits in regard to showcase his case that as per the believe of people there was a temple before mosque and the mosque was constructed after destroying the temple.
- Apart from the fact as what was the shape of disputed place, it was always considered by Hindus as the birthplace of Lord Ram.
- To buttress his argument and to put weight on traveler account Mr. CSV argued argued that the approach of the Foreigners are different when they visit as travelers. They remains very particular about date and time, however, Indians are more concerned about Tradition, Culture.
- Mr. CSV referred Montgomery Martin and Karnegi's report and also showcase the finding of judges in the impugned order in regards of all the documents produced.

LUNCH

- Mr. CSV kept continue to trace history based upon abstract of various books.
- Mr. CSV stated that at this stage the total area is 1482 sq yards, there is faith and belief of people. People used to take Parikarma. Now we are left with 1482 sq. yards. Therefore, it can't be divided now.
- Mr. CSV referred that a Suit was also filed by Shia Central Waqf Board in 1945 wherein Shia (Plaintiff) admitted that this place is birthplace of Lord Rama. Suit was dismissed and SLP is pending in this regard.
- Dr. Dhawan stated that this SLP is filed in 2017 against the judgment of 1946.
- Counsel appearing for Shia Board mentioned that apart from my SLP I am the defendant in the other suits. The present area in dispute belongs to Shia as it was a Shia Mosque. Sunni Central Board has no concerned with the disputed area.

- Mr. CSV after referring the relevant portion from impugned order and after referring ASI report stated that faith and belief is there. The Temple was also found, the disputed structure was constructed on the ruins of temple and the same is against the Sharia Law.
- Mr. CSV referred the commissioner report of 1950 mentioned on page 3735 Volume 3 of impugned order and page 4218.
- CSV shown from the Map Hanumant dwar and other portion of temple, he vehemently argued that Kausati pillars were found in the dispute structure wherein in some of the pillar picture of Hindu God was absolutely clear and in somewhere was shattered but identifiable.
- He mentioned about iron grill dividing the dispute place in two portions.

Mr. CSV again continued his argument and relied upon several important portion from impugned order, map and documents in support of his case.

- **Bench rises for the day, hearing to resume on Friday. CJI mentioned that bench will assemble by 11.00 am after hearing a special bench matter.**

**Notes Prepared by:
Amit Sharma, Advocate**