

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.                      of 2025  
(Arising out of SLP(Civil) No.4809/2014)

GANESHILAL JAIN

Appellant(s)

VERSUS

MANDIR SHRI G.G. BANKE LOHARPURA  
THROUGH JAGDISH PRASAD VERMA (DEAD) THR. LRS. & ORS.

Respondent(s)

WITH

SLP(C) No. 16441-16442/2014

SLP(C) No. 16439-16440/2014

O R D E R

1. Leave granted.
2. Heard learned Senior counsel and other learned counsel appearing for the parties.
3. The learned Senior counsel and other counsel appearing for the appellant(s) primarily contend that the relevant facts of the case have not been brought before the High Court. They submit that, had the appellant(s)

been impleaded as party respondents, the same would not have occurred. It is a case where multiple sale deeds have been executed over the past 75 years. Admittedly, the appellant(s) are in possession and in enjoyment of their respective properties in question.

4. The findings rendered by the Courts below are on the mere presumption to the effect that Smt. Sarvadi Bai, who is the predecessor-in-title of the appellants, acquired Bhumiswami rights by playing fraud.

5. Another important fact has also not been taken into consideration by the High Court which is, that the temple in the disputed property continues to be entrusted to a private trust. Though an attempt was made by the private respondent(s) to convert the same to a public trust, the same did not fructify.

6. All these facts have not been taken into consideration by the High Court.

7. Learned counsel appearing for the respondent-State would submit that if the case is remanded, the respondent-State may be permitted to put forth its contention afresh. We have also taken into consideration the submission made by the learned counsel appearing for respondent no.2

8. We take note of the fact that the appeals are of the year 2014 and the matters are still languishing on the file of this Court even after a decade.

9. Taking into consideration the submissions made by the learned counsel appearing for the parties, we find that it is a fit case for remittal, as the case involves a disputed question of law.

10. Considering the facts and circumstances of the case, we are inclined to set aside the impugned order(s) passed by the High Court.

11. Accordingly, the impugned order(s) passed by the High Court are set aside and the matters are remitted to the Division Bench of the High Court for fresh consideration on merits, after hearing all the parties at length.

12. As the matters are pending since 2014, we request the High Court to hear the matters expeditiously. All issues of the parties are left open to be considered in accordance with law.

13. We make it clear that all the parties shall maintain *status quo*, existing as on today, with regard to the properties in question, until the disposal of the matters by the High Court.

14. Application seeking impleadment is allowed.

15. Needless to say that the newly impleaded party, shall also be heard by the Division Bench of the High Court while deciding the matters.

16. The appeals are accordingly, disposed of.

17. Pending application(s), if any, shall also stand disposed of.

.....J.  
(M.M. SUNDRESH)

.....J.  
(NONGMEIKAPAM KOTISWAR SINGH)

New Delhi  
14.07.2025

ITEM NO.51

COURT NO.6

SECTION IV-C

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 4809/2014

[Arising out of impugned final judgment and order dated 18-09-2013 in WA No. 633/2006 passed by the High Court of Madhya Pradesh at Gwalior]

GANESHILAL JAIN

Petitioner(s)

VERSUS

MANDIR SHRI G.G. BANKE LOHARPURA  
THROUGH JAGDISH PRASAD VERMA (DEAD) THR. LRS. & ORS.

Respondent(s)

IA No. 22592/2025 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 22458/2025 - INTERVENTION/IMPLEADMENT

WITH

SLP(C) No. 16441-16442/2014 (IV-C)  
IA No. 2/2014 - EXEMPTION FROM FILING O.T.  
IA No. 4/2014 - PERMISSION TO FILE ANNEXURES

SLP(C) No. 16439-16440/2014 (IV-C)  
IA No. 18047/2025 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 18144/2025 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 2/2014 - EXEMPTION FROM FILING O.T.  
IA No. 69691/2019 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES  
IA No. 4/2014 - PERMISSION TO FILE ANNEXURES

Date : 14-07-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH  
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) : Mr. Anirudh Sharma, AOR

Mr. Nipun Saxena, Adv.  
Ms. Astha Sharma, AOR  
Mr. Shreyas Awasthi, Adv.  
Ms. Aadya Pandey, Adv.  
Ms. Deepali Dabas, Adv.  
Ms. Riddhi Jain, Adv.

Mr. Sushil Kumar Jain, Sr. Adv.  
Ms. Pratibha Jain, AOR

Mrs. Christi Jain, Adv.  
Mr. Mann Arora, Adv.  
Mr. Akriti Sharma, Adv.  
Mr. Harsh Jain, Adv.  
Mr. Om Sudhir Vidyarthi, Adv.  
Mr. Aditya Jain, Adv.

For Respondent(s) :Mr. Akshat Shrivastava, AOR

Mr. Deepkaran Dalal, AOR

Mr. Sunny Choudhary, AOR

Mr. Harmeet Singh Ruprah, D.A.G.

Mr. Sarthak Raizada GA, Adv.

Mr. Sarad Kumar Singhania, AOR

Mr. R. Anand Padmanabhan, Sr. Adv.

Mr. Krishna Kumar Singh, AOR

UPON hearing the counsel the Court made the following  
O R D E R

1. Leave granted.
2. Application seeking impleadment/ intervention is allowed.
3. The appeals are disposed of in terms of the signed order.
4. Pending application(s), if any, including the applications (IA No. 22592/2025IA No. 18047/2025IA No. 18144/2025), shall stand disposed of.

(NISHA KHULBEY)  
SENIOR PERSONAL ASSISTANT

(signed order is placed on the file)

(POONAM VAID)  
ASSISTANT REGISTRAR