

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 18636/2026

[Arising out of impugned final judgment and order dated 22-11-2024 in SA No. 79/2018 passed by the High Court of Madhya Pradesh at Indore]

THE STATE OF MADHYA PRADESH & ORS.

Petitioner(s)

VERSUS

SHANKARSHARAN & ORS.

Respondent(s)

IA No. 133407/2026 - CONDONATION OF DELAY IN FILING
IA No. 133399/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT AND IA No. 133410/2026 - EXEMPTION FROM FILING O.T.

Date : 08-05-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE N.V. ANJARIA
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) : Mr. Sridhar Potaraju, A.A.G.
Mr. D.s. Parmar, A.A.G.
Mr. Arkaj Kumar Ga, Adv.
Mr. Harmeet Singh Ruprah, AOR
Mr. Kanishk Sharma, Adv.
Mr. Karan Singh, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following

O R D E R

Delay condoned.

2. Heard learned Additional Advocate General Mr. Sridhar Potaraju, appearing for the petitioner-State.

3. The operative part of the impugned judgment and order passed by the High Court of Madhya Pradesh reads as under:

"14. In view of the aforesaid discussion, it is held that it is the temple, namely, Shri Dwarkadheesh Bhagwan Vake Sailana, District Ratlam which is the Bhumiswami of the suit

lands and plaintiff has always been its pujari/Manager. Plaintiff has however not proved that he is the owner of the suit lands in his own individual rights. The recording of name of the Collector, District Ratlam as Manager of the temple is totally illegal and consequently the defendants do not have any right to auction the suit lands. The plaintiff has been in possession of the suit lands as has been held by the Courts below."

4. The grievance of the petitioner- State is to the extent that the High Court even while not accepting the prayer of the Pujari regarding claim of the ownership right for the temple of the land in question, has observed that the recording of the name of the Collector, District Ratlam as the manager of the temple is illegal. The High Court has further restrained the petitioners from auctioning the suit lands. It was submitted that the law laid down in the decision relied on by the High Court in *Shrikrishna v. State of M.P.*, 2012 (4) MPLJ 466 has been disapproved by this Court in *State of Madhya Pradesh & Ors. v. Pujari Utthan Avam Kalyan Samiti & Anr.*, Civil Appeal No.4850/2021 decided on 06.09.2021.

5. Issue notice to the respondents, returnable on 10.08.2026.

(NISHA KHULBEY)
COURT MASTER(SH)

(MANOJ KUMAR)
COURT MASTER(NSH)