

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.4127 OF 2026
(Arising out of SLP(C)No.11468 of 2026)

MAULANA KAMALUDDIN WELFARE SOCIETY

... APPELLANT

Versus

HINDU FRONT FOR JUSTICE & ORS.

... RESPONDENTS

O R D E R

1. Leave granted.

2. Civil Appeal No. 466/2026, which arose from an interim order dated 11.03.2024 passed by the High Court of Madhya Pradesh, was disposed of by this Court on 22.01.2026 after hearing both sides, through a reasoned order. In para 8 of the said order, this Court took notice of the fair stand taken on behalf of the appellant that a copy of the Survey Report may be supplied to the parties and some time may be granted to them to submit their objections. Such objections, thus, were to be considered by the Division Bench of the High Court at the time of final hearing. Consequently, the following directions contained in para 9 of the said order were issued:

“(i) The Writ Petition No. 10497 of 2022 pending before the Indore Bench of the High Court may be taken up by a Division Bench, preferably presided over by the Hon’ble Chief Justice of the High Court or the senior most judge of the High Court Bench, presiding the said Bench of the High Court, within a period of three weeks;

(ii) The Division Bench is requested to unseal the report in open Court and supply copies thereof to both

sides. If any part of the report cannot be copied, the parties may be permitted to inspect such part of the report in the presence of expert(s) and their counsel;

(iii) Thereafter, the parties may be granted two weeks' time to submit their respective objections, opinions, suggestions, and/or recommendations;

(iv) The Division Bench of the High Court may, thereafter, take up the case for final hearing and all the submissions of the parties may be duly considered at the time of final hearing; and

(v) Till the Writ Petition is finally decided, the parties shall maintain status quo re: alteration in the character of the Bhojshala Saraswati Temple-cum-Maulana Kamal Maula Mosque. Meanwhile, the parties shall continue to abide by and implement the order dated 07.04.2003 issued by the Director General of the Archaeological Survey of India."

3. There is no dispute that the Survey Report was supplied to the parties, and some of them have submitted their objections thereto. It further appears that the Archaeological Survey of India ("ASI") also conducted videography and photography of the site.

4. The High Court has now, in deference to para 8 of the order dated 22.01.2026, passed the impugned interlocutory order to the effect that the objections submitted by the parties shall be considered and decided at the time of final hearing. The High Court has directed that the application filed by the appellant for production of videos and coloured photographs taken by the ASI shall be considered at the time of final hearing of the case.

5. In this regard, we may take notice of paragraphs 5 and 6 of the application moved by the appellant, which is respondent No.8 before the High Court.

6. It, thus, seems that according to the appellant, there are some objections which arise from what is duly recorded in the

course of videography. We have no doubt that the learned High Court, after seeing such videography, shall consider those objections too, along with other objections made by the parties, in accordance with the principles of natural justice. The High Court shall, accordingly, take an appropriate decision on the objections, including those which are found arising from the videography.

7. In this regard, we have not expressed any opinion on merits. All the issues are left open to be adjudicated by the High Court. The parties may, accordingly, raise their respective contentions before the High Court.

8. The appeal stands disposed of in the above terms.

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(VIPUL M. PANCHOLI)

NEW DELHI;
APRIL 01, 2026.

ITEM NO.18

COURT NO.1

SECTION IV-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).11468/2026

[Arising out of impugned final judgment and order dated 16-03-2026 in WP No.10497/2022 passed by the High Court of Madhya Pradesh at Indore]

MAULANA KAMALUDDIN WELFARE SOCIETY

Petitioner(s)

VERSUS

HINDU FRONT FOR JUSTICE & ORS.

Respondent(s)

FOR ADMISSION

Date : 01-04-2026 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) Mr. Salman Khurshid, Sr. Adv.
Dr. Sarvam Ritam Khare, Adv.
Ms. Lubna Naaz, Adv.
Ms. Azra Rehman, Adv.
Ms. Shweta Chaurasia, Adv.
Ms. Urvi Kuthiala, Adv.
Mr. Kushagra Sharma, Adv.
Mr. Akarsh Khare, Adv.
Mr. Mujeeb Quraishi, Adv.
Mr. Javed Anjum, Adv.
For M/s Ace Legal, AOR

For Respondent(s) Mr. K.M. Natraj, ASG
Mr. Prashant Singh, Advocate General (M.P.)
Ms. Manisha Karia, AAG/Sr.Adv.
Mr. D.S. Parmar, AAG
Mr. Harmeet Singh Ruprah, Adv.
Mr. Sarthak Raizada, Adv.

Ms. Manisha T. Karia, Sr.Adv.
Mr. Varun Khetwani, Adv.
Mr. Deepin Deepak Sahni, Adv.

Mr. Vishnu Shankar Jain, Adv.
Mr. Saurabh Singh, Adv.

Mr. Barun Kumar Sinha, Adv.

Mrs. Pratibha Sinha, Adv.
Mr. Sneh Vardhan, Adv.
Mr. Rakesh Mudgal, Adv.
Mr. Pankaj Kumar Shukla, Adv.
Mr. Chhail Bihari Singh, Adv.
Mr. Vaibhav Singh, Adv.
Mr. Ritu Raj, Adv.
Mrs. Kanika, Adv.
Mr. Anil Kumar Pandey, Adv.
Mr. Anantha Narayana M.G., Adv.

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

Leave granted.

The appeal stands disposed of in terms of the signed
order.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
ASSISTANT REGISTRAR

(signed order is placed on the file)