

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

WP No. 10497 of 2022

*(HINDU FRONT FOR JUSTICE (REGD. TRUST NO. 976) THROUGH ITS PRESIDENT MS. RANJANA
AGNIHOTRI AND OTHERS Vs UNION OF INDIA MINISTRY OF CULTURE AND OTHERS)*

WP/6514/2013, WP/28334/2019, WP/10484/2022, WA/559/2026

Dated : 21-04-2026

Shri Vishnu Shankar Jain - Advocate (through V.C.) with Shri Vinay Joshi, Ms. Varsha Parashar, Shri Harishankar Jain, Shri Parth Yadav, Shri Saurabh Singh, Ms. Mani Munjal Yadav, Shri Utkarsh Dubey and Shri Devendra Nagar, Shri Vagish Parashar, Shri Rohit Shukla, Ms. Shalini Joshi, Ms. Shivangee Parmar, Shri Satyanawrayan Dubey, Ms. Priyanka Sharma, Shri Bhuvneshm Gupta, Shri Lalit Namdev and Shri Pradhumna Malpani - Advocates appeared for the petitioner in WP No.10497/2022.

Shri. A.K. Chitale - Sr. Advocate with Shri Kartik Chitale - Advocate for the petitioner in WP No.6514/2013.

Shri Salman Khurshid - Sr. Advocate through VC with Shri Noor Ahmed Sheikh & Shri Zishan Khan - Advocates for the respondent No.8 in WP No.10497/2022 and WP No.10484/2022.

Shri Sunil Kumar Jain - Addl. Solicitor General with Shri Aviral Vikas Khare - Advocate for respondents Nos. 1 to 4 & 6 in WP No.10484/2022, for respondent No.4 and 5 in WA No.559/2026, for respondent No.1, 2 & 6 in WP No.6514/2013 and for respondent No.7, 8 & 10 in WP No.28334/2019.

Ms. Shobha Menon, Senior Counsel (through V.C.) assisted by Shri N.A. Sheikh, learned counsel for the appellants in WA No.559/2026.

Shri Vishwajit Joshi, Ms. Nena Mishra, Shri Shreesh Dubey, and Ms. Surbhi Bahal - Advocates for respondent No.9 in WP No.10497/2022.

Shri Syed Ashhar Ali Warsi and Ms. Poorvi Asati, Ms. Manan Sharma & Shri Mohd. Hashim - Advocates for the intervener in WP No.10497/2022.

Shri Sajid Iqbal Ansari - Advocate for the intervener in WP No.10497/2022.

Shri Noor Ahmed Sheikh - Advocate for the intervener. Shri Manish Gupta with Shri Chandresh Gupta – Advocate for the petitioner in W.P. No.10484/2022 and for the intervenor in WP No.28334/2019 and in WA No.559/2026.

Shri Aniket Naik, learned counsel for the respondent no.9 in WP NO.10484/2022.

Shri Prashant Singh - Advocate General through VC with Shri Nilesh Yadav AAG, Rahul Sethi - AAG, Shri Dhirendra S. Parmar - AAG, Shri Ashish Yadav - AAG, Shri Sonal Gupta - AAG, Shri Sudeep Bhargava - Dy.AG, Shri Shrey Raj Saxena - Dy.AG, Shri Surendra Kumar Gupta - G.A., and Shri Sahil Sonkusale and Shri Viraj S. Jha - PL for the respondent/State.

Shri Salman Khurshid - Sr. Advocate, appearing on behalf of respondent No.8, Maulana Kamaluddin Welfare Society.

He argued on IA No.2318/2026, which is an application for production of the videography, etc., and brought to our notice the order dated 1.4.2026 passed by the Apex Court in Civil Appeal No.4127/2026 filed by the respondent No.8 against the interim order dated 11.3.2024 passed by this Court. While disposing of the said appeal, certain observations have been made in regard to the consideration of the objections to the Archeological Survey of India report, which is reproduced as under:-

"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."

The submission of learned counsel for respondent No.8 is that the videography of the Archeological Survey of India Survey should be supplied to them so that, after seeing said videography, they may submit their objections, and thereafter this Court can take an appropriate decision on the said objections which would arise from the videography.

The counsel for the Archeological Survey of India submitted that the videography of the survey is a long videography of about 96 days, and the display of the videography or supply of it may take a long time. Counsel for respondent Archeological Survey of India further submitted that the said order is confined only to the viewing of the videography by this Court; however, we did not appreciate the same, considering the aforesaid paragraph 6 of the order of the Apex Court.

In view of the observations made in para 6 of the order of the Apex Court dated 01.04.2026, we direct Archeological Survey of India to upload the videography of the survey proceedings conducted at the bhojshala site on a secured digital platform such as google drive link or any equivalent cloud based service and to provide access to the counsel for respondent No.8 and to the High Court of MP, Bench at Indore. Since the hearing of the case is going on on a day-to-day basis in the light of the order passed by the Apex

Court in the present case, the Archeological Survey of India shall ensure that uploading of the said videography on the Google Drive link is done with top priority by 27.4.2026.

Copy of this order passed by this Court shall be communicated by the learned counsel for ASI to the Director General, Archeological Survey of India, New Delhi (respondent No.2) and the Superintendent, Archeological Survey of India, Bhopal Circle, Bhopal (respondent No.3) today itself.

Counsel for respondent No.8 is heard in part.

List tomorrow i.e., 22.04.2026.

(VIJAY KUMAR SHUKLA)
JUDGE

(ALOK AWASTHI)
JUDGE

VM