

**IN THE SUPREME COURT OF INDIA**

**CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NOS. 10866-10867 OF 2010**

**IN THE MATTER OF: -**

M. Siddiq (D) Thr. Lrs.

... Appellant

**VERSUS**

Mahant Suresh Das & Ors. etc. etc.

... Respondents

**AND**

**OTHER CONNECTED CIVIL APPEALS**

**A COPY OF THE REPORT DATED 03-08-1950**  
**SUBMITTED BY MR. BASHIR AHMAD KHAN,**  
**PLEADER COMMISSIONER ALONGWITH 13**  
**PHOTOGRAPHS**

**COMPILED BY:-**

EJAZ MAQBOOL, ADVOCATE FOR THE APPELLANT

**ORIGINAL**

**In the Court of Civil Judge Faizabad**

**Reg. Suit No. 2 of 1950**

**Shri Gopal Singh Visharad --- Plaintiff**

**Vs**

**Shri Zahoor Ahmad And Others --- Defendants**

**Bashir Ahmad Khan, Pleader Commissioner**  
**Report dated 03-08-1950**

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*www.vadaprativada.in*



In re:-

Shri Gopal Singh Visharad.....Plaintiff.

Versus

Zahoor Ahmad and others.....Defendants.

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REPORT OF THE COMMISSIONER.

Sir,

In the above noted case I have been appointed Commissioner to get the Photograph of the disputed building taken under my supervision. In compliance of the order, of the Hon'ble Court I engaged Sahu and Brothers, Photographers Faizabad to take the Photos under my supervision. After informing the parties I went to the spot and executed the commission.

The photographer under my instructions had taken several photos of the building in suit from all sides from outside and thereafter some photos have been taken from inside the Courtyard of the building in suit and then some Photos were taken of the inner portion of the building in suit.

The Photographs prepared by the Photographer have been marked by me in the International numerals and their Khasra and the position from where they have been taken are given below:-

1. Photo No. 1 is the Photograph of the disputed building from outside, of the main entrance. A little above the arch of the main gate towards the right and left there are small circles in which the word "Allah" is written in Arabic. A little above it there now hangs a picture of Hammanji. (Beneath the frame of the picture 'Allaho Akbar' is inscribed in the wall in the Arabic character). This inscription has been covered by the said picture and therefore it is not visible in the Photograph, and as the photo of this portion could not be taken without the removal of the picture of Hammanji, I am not able to

(8) 14  
21  
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- 2 -

it clear in my report. I did not insist on the removal of the Picture with a view to avoid any terrible or ugly situation that might have arisen.

2. No. 2 is the Photo of the land lying adjacent to the Northern gate of the building in suit. There are several Pucca graves in this land. There is a gate of corrugated iron sheets towards the North of the building and it was <sup>found</sup> closed at the time when the Photo was taken.

3. No. 3 is the Photo of the building in suit from the North West corner of it.

4. No. 4 is a Photo of the building in suit from the South West corner of it.

5. No. 5 is a Photo from North North West corner of the building in suit.

6. No. 6 Photo showing the Northern gate of the building in suit from a close distance.

7. No. 7 Photo of the building in suit from the back side, namely from Western side.

8. No. 8 is Photo taken from the Court <sup>yard</sup> of the building in suit of the Middle Arch in the eastern wall. A little below the top of the arch at three places "Allah" in Arabic character is inscribed. Below the 'Allah' in the middle, the inscription in 'Toghra' (توغرا) is blurred in the Photo (but at the spot it can be read).

9. No. 9, Photo of inner Central Mehrab ~~is the Mehr~~ (Arch) in the western wall of the building in suit. On the top of the arch Caligraphic Allah in Arabic character is inscribed in the wall and below it "Bismillah-hirrahman-irrahim" and still below it "Lailaha-illallah Moammadur-Rasulullah" is inscribed.

10. No. 10 is the Photo of the pulpit (Mimbar) on which the idols are placed. On the left side of the pulpit

(9)

10/5  
2

number there is a Persian inscription which is blurred in the Photo.

11. No. 11 is the Photo of the inner Northern Arch in the West wall towards the North of No. 10. The 'cligraphic' Allah in the Arabic character is inscribed in the wall.

12. No. 12 is Photo of the Southern Arch in the Western wall from inside the building with similar Arabic inscription of Allah as in No. 11.

13. <sup>No. 13</sup> Photo of the Place of ablution and the drain for the flow of water situate in Southern vicinity of the Courtyard close to the staircase leading to the top of the building.

The notes against each of the Photos have been added by me to make the Photos intelligible.

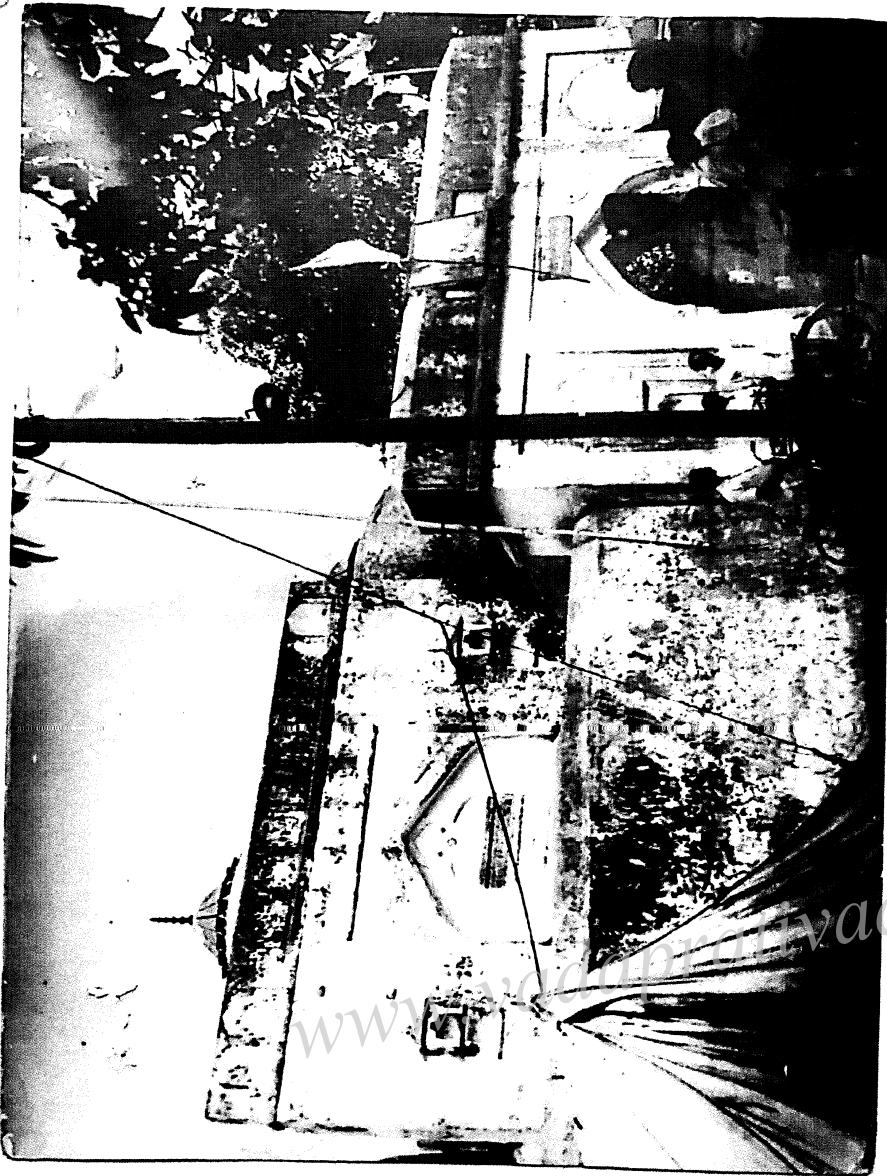
The report and the Photos which form part of the report are submitted herewith. The Photos are contained in a Card Board Case. All the photos have been signed by Sri Jagmohan Lal Sahu who had taken the Photographs under my supervision.

Yours faithfully,

Bashir Ahmad Khan  
Pleader Commission.

Dated Faizabad:- Sd. Bashir Ahmad Khan

The 3rd of August, 1950.



154/4

No-1  
In the Court of Civil Judge Faltabad  
In ref  
Shri Gopal Singh Visharad  
Vs  
Zahoor Ahmad And Others

Bashir Ahmad Khan  
Pleader Commissioner  
(1) 3-8-1950

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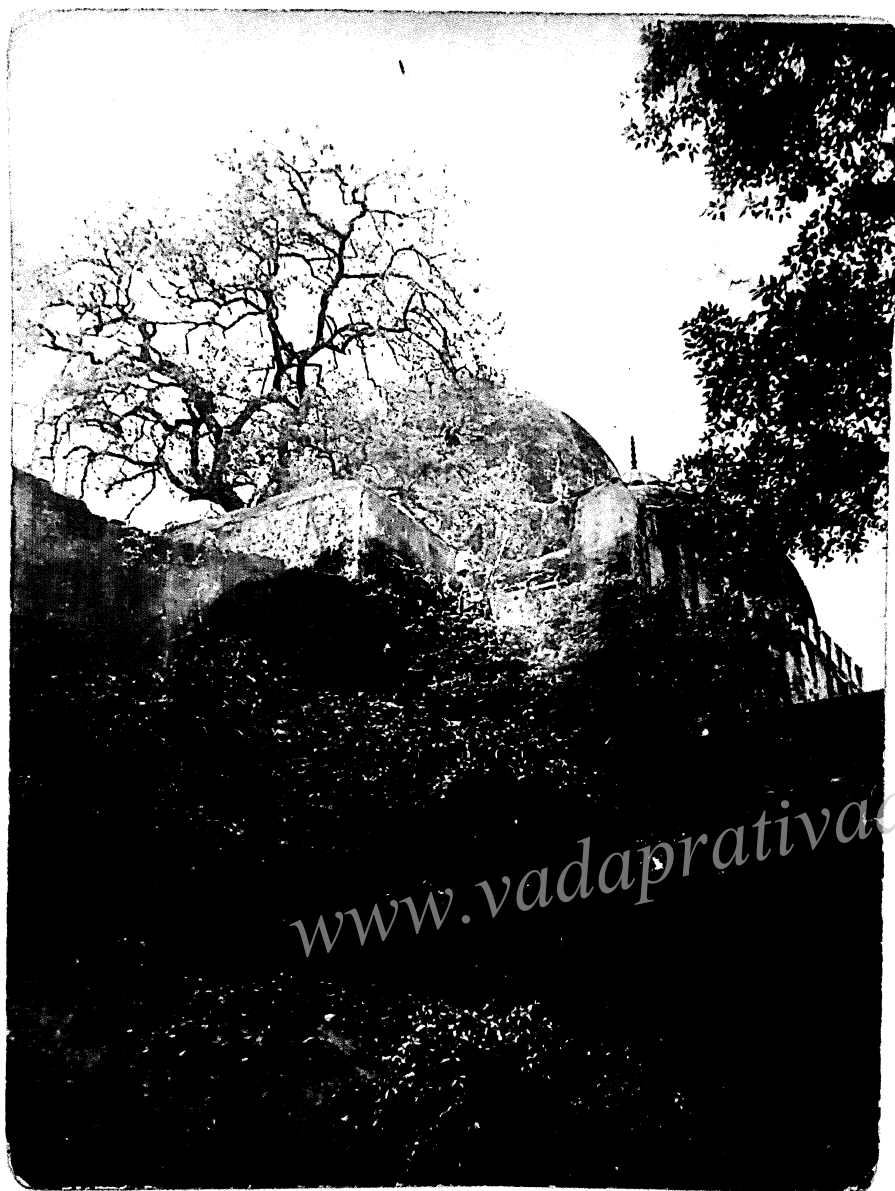
154/5

No-2  
In the Court of Civil Judge Faizabad  
In ref  
Shri Gopal Singh Visharad  
Vs  
Zahoor Ahmad And Others

(2)

Bashir Ahmad Khan  
Pleader Commissioner  
3-8-1950

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154/6

No-3  
In the Court of Civil Judge Faizabad  
In ref  
Shri Gopal Singh Visharad  
Vs  
Zahoor Ahmad And Others

Bashir Ahmad Khan  
Pleader Commissioner  
3-8-1950

(3)

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154/7

No-4  
In the Court of Civil Judge Faizabad  
In ref  
Shri Gopal Singh Visharad  
Vs  
Zahoor Ahmad And Others

Bashir Ahmad Khan  
Pleader Commissioner  
(4) 3-8-1950

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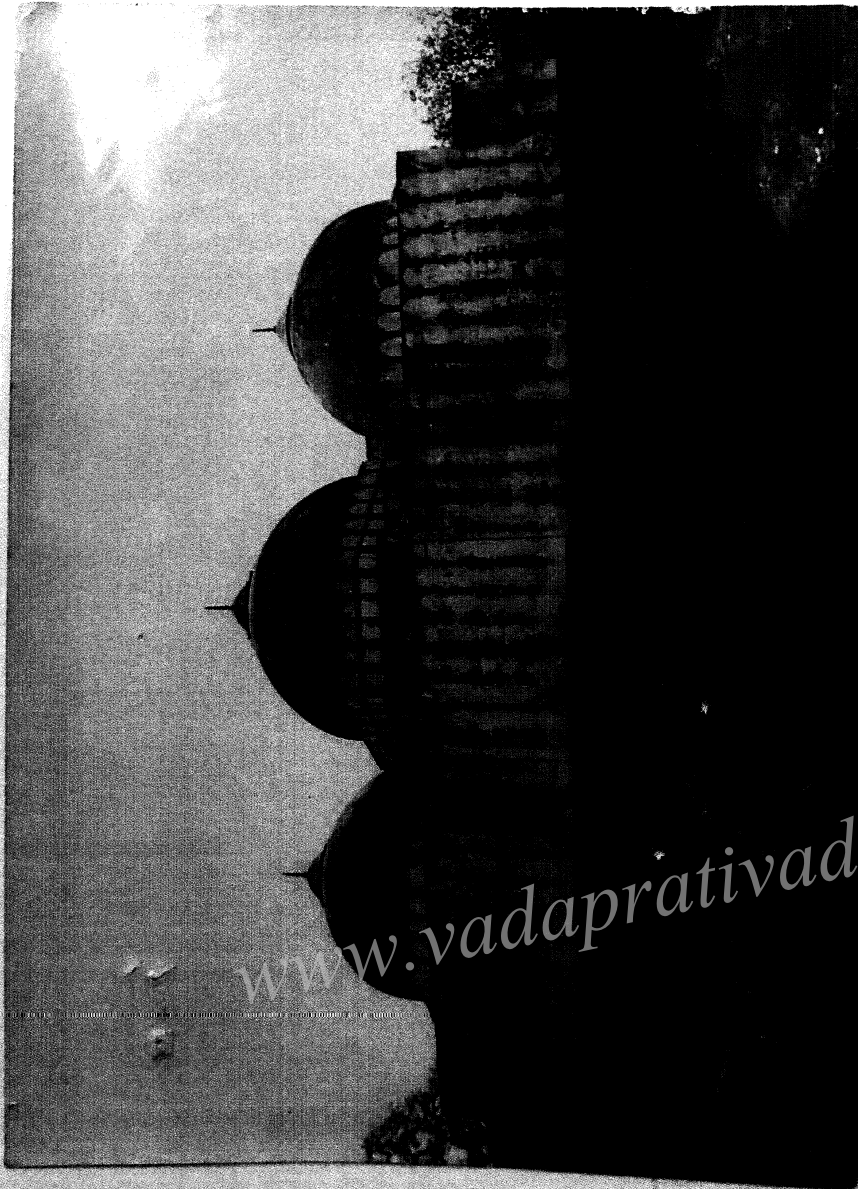
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154/10

No-7  
In the Court of Civil Judge Faizabad  
In ref  
Shri Gopal Singh Visharad  
Vs  
Zahoor Ahmad And Others

(7)

Bashir Ahmad Khan  
Plender Commissioner  
3-8-1950

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154/11

No-8  
In the Court of Civil Judge Faizabad  
In ref  
Shri Gopal Singh Visherad  
Vs  
Zahoor Ahmad And Others

(8)

Bashir Ahmad Khan  
Pleader Commissioner  
3-8-1950

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154/12

No-9  
In the Court of Civil Judge Faizabad  
In ref  
Shri Gopal Singh Visharad  
Vs  
Zahoor Ahmad And Others

(9)

Bashir Ahmad Khan  
Pleader Commissioner  
2-8-1950

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154/14

No-11  
In the Court of Civil Judge Faizabad  
In re of  
Shri Gopal Singh Viharad  
Vs  
Zahoor Ahmed And Others

(11)

Bashir Ahmed Khan  
Pleader Commissioned  
3-8-1959

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[www.vadaprativada.in](http://www.vadaprativada.in)

154/15

No-12

In the Court of Civil Judge Faizabad  
In ref

Shri Gopal Singh Visharad  
Vs

Zakoor Ahmad And Others

(12)

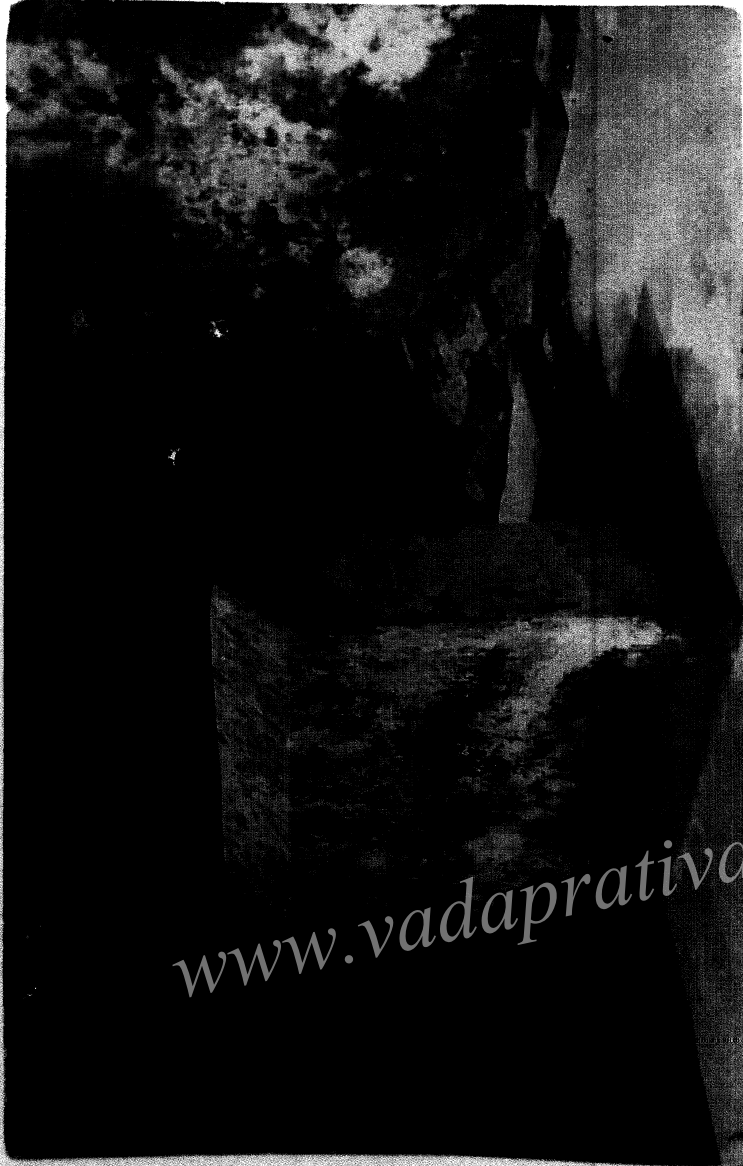
Bashir Ahmad Khan  
Pleader Commissioner

3-8-1950

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154/16

No-13  
In the Court of Civil Judge Faizabad  
In ref  
Shri Gopal Singh Visharad  
Vs  
Zahoor Ahmad And Others

(13)

Bashir Ahmad Khan  
Pleader Commissioner  
3-8-1950

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