

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

990242

CIVIL APPEAL NOS.10866-10867 OF 2010

M SIDDIQ (D) THR LRS.

...APPELLANT(S)

VERSUS

MAHANT SURESH DAS & ORS.

...RESPONDENT (S)

WITH

Certified to be true copy  
Asst. Secy. (Jrdl.)  
20 08 2018  
Supreme Court of India

CIVIL APPEAL NOS 4768-4771 OF 2011

CIVIL APPEAL NO 2636 OF 2011

CIVIL APPEAL NO 821 OF 2011

CIVIL APPEAL NO 4739 OF 2011 (@ SLP (C) NO.15152 OF 2011)

(For discharge of Advocate on record on IA 95540/2018, For Application For Substitution On IA 95542/2018, For Application For Substitution On IA 137163/2018, For Application For Substitution On IA 12631/2019, For Condonation Of Delay In Filing Substitution Appln. On IA 12634/2019, For Addition / Deletion / Modification Parties On IA 12637/2019, For Clarification/Direction On IA 13106/2019, For Discharge Of Advocate On Record On IA 13977/2019, For Application For Vacation Of Interim Order On IA 21271/2019 and For clarification/direction on IA 31138/2019)

CIVIL APPEAL NOS 4905-4908 OF 2011

(@ SLP (C) NOS.7815-7818 OF 2011)

(For Clarification/Direction On IA 48546/2019, For Application For Substitution On IA 85006/2019, For condonation of delay in filing substitution appln. on IA 85007/2019 and For Setting Aside An Abatement On IA 92315/2019)

CIVIL APPEAL NO 2215 OF 2011

CIVIL APPEAL NO 4740 OF 2011

(For clarification/direction on IA 96279/2019)

..2/-

**CIVIL APPEAL NO. 2894 OF 2011**

**CIVIL APPEAL NO 6965 OF 2011**

**CIVIL APPEAL NO 4192 OF 2011**

**(For discharge of advocate on record on IA 37453/2019)**

**CIVIL APPEAL NO 5498 OF 2011**

(For Application For Substitution on IA 191/2019, For condonation of delay in filing substitution appln. on IA 196/2019, For exemption from filing O.T. on IA 198/2019 and for deleting the name of Petitioner/Respondent on IA 206/2019)

**CIVIL APPEAL NO 7226 OF 2011**

**CIVIL APPEAL NO 8096 OF 2011**

**(For full cause title and details of the High Court please see Schedule 'A' attached herewith)**

**Date: 16-10-2019 (CAV)** These Appeals were called on for hearing today.

**CORAM :**

**HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE S.A. BOBDE  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE ASHOK BHUSHAN  
HON'BLE MR. JUSTICE S. ABDUL NAZEER**

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Ms. Christi Jain, AOR

Mr. Ejaz Maqbool, AOR

The Appeals above-mentioned alongwith connected matter being called on for hearing before this Court on the 8<sup>th</sup>, 9<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup> 16<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup>, 22<sup>nd</sup>, 23<sup>rd</sup>, 26<sup>th</sup>, 27<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup>, 30<sup>th</sup>, days of August, 2019, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, 23<sup>rd</sup>, 24<sup>th</sup>, 25<sup>th</sup>, 26<sup>th</sup>, 27<sup>th</sup>, 30<sup>th</sup>, days of September, 2019, 1<sup>st</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup> and \*16<sup>th</sup> days of October, 2019, UPON perusing the record and hearing counsel for the appearing parties above-mentioned, the Court took time to consider its Judgment and the Appeals being called on for Judgment on the 9<sup>th</sup> day of November, 2019. THIS COURT for the reasons and observations recorded in its Judgment DOTH in the resultant Appeals inter-alia PASS the following ORDER;

"Q. Reliefs and directions

805. x x x.

1 (i) \*\*Suit 3 instituted by Nirmohi Akhara is held to be barred by limitation and shall accordingly stand dismissed;

(ii) \*\*\*Suit 4 instituted by the Sunni Central Waqf Board and other plaintiffs is held to be within limitation. The judgment of the High Court holding Suit 4 to be barred by Limitation is reversed; and

(iii) \*\*\*\*Suit 5 is held to be within limitation.

2 Suit 5 is held to be maintainable at the behest of the first plaintiff who is represented by the third plaintiff. There shall

\*Copy of the R/p dated 16.10.2019 is annexed herewith as Schedule 'B'.

\*\*Nirmohi Akhara and Ors. Vs. Baboo Priya Datt Ram and Ors. (Regular Suit No. 26 of 1959 renumbered as OOS No. 3 of 1989)

\*\*\*Sunni Central Board of Waqfs, U.P. and Ors. Vs. Gopal Singh Vishrad (since deceased) and Ors. (Regular Suit No. 12 of 1961 renumbered as OOS No. 4 of 1989)

\*\*\*\* Bhagwan Sri Ram Lala Virajman and Ors. Vs. Rajendra Singh and Ors. (Regular Suit No. 236 of 1989 renumbered as OOS No. 5 of 1989)

be a decree in terms of prayer clauses (A) and (B) of the suit, subject to the following directions:

(i) The Central Government shall, within a period of three months from the date of this judgment, formulate a scheme pursuant to the powers vested in it under Sections 6 and 7 of the Acquisition of Certain Area at Ayodhya Act 1993. The scheme shall envisage the setting up of a trust with a Board of Trustees or any other appropriate body under Section 6. The scheme to be framed by the Central Government shall make necessary provisions in regard to the functioning of the trust or body including on matters relating to the management of the trust, the powers of the trustees including the construction of a temple and all necessary, incidental and supplemental matters;

(ii) Possession of the inner and outer courtyards shall be handed over to the Board of Trustees of the Trust or to the body so constituted. The Central Government will be at liberty to make suitable provisions in respect of the rest of the acquired land by handing it over to the Trust or body for management and development in terms of the scheme framed in accordance with the above directions; and

(iii) Possession of the disputed property shall continue to vest in the statutory receiver under the Central Government, untill in exercise of its jurisdiction under Section 6 of the Ayodhya Act of 1993, a notification is issued vesting the property in the trust or other body.

3 (i) Simultaneously, with the handing over of the disputed property to the Trust or body under clause 2 above, a suitable plot of land admeasuring 5 acres shall be handed over to the Sunni Central Waqf Board, the plaintiff in Suit 4.

(ii) The land shall be allotted either by:

(a) The Central Government out of the land acquired under the Ayodhya Act 1993; or

(b) The State Government at a suitable prominent place in Ayodhya;

The Central Government and the State Government shall act in consultation with each other to effectuate the above allotment in the period stipulated.

(iii) The Sunni Central Waqf Board would be at liberty, on the allotment of the land to take all necessary steps for the construction of a mosque on the land so allotted together with other associated facilities;

(iv) Suit 4 shall stand decreed to this extent in terms of the above directions; and

(v) The directions for the allotment of land to the Sunni Central Waqf Board in Suit 4 are issued in pursuance of the powers vested in this Court under Article 142 of the Constitution.

4 In exercise of the powers vested in this Court under Article 142 of the Constitution, we direct that in the scheme to be framed by the Central Government, appropriate representation may be given in the Trust or body, to the Nirmohi Akhara in such manner as the Central Government deems fit.

5 The right of the plaintiff in \*Suit 1 to worship at the disputed property is affirmed subject to any restrictions imposed by the relevant authorities with respect to the maintenance of peace and order and the performance of orderly worship.

\*Gopal Singh Visharad since deceased and survived by Rajendra Singh Vs. Zahoor Ahmad and Ors.  
(Regular Suit No. 2 of 1950 renumbered as OOS No. 1 of 1989)

806. All the appeals shall stand disposed of in the above terms. Parties are left to bear their own costs.

X X X.

One of us, while being in agreement with the above reasons and directions, has recorded separate reasons on: "Whether the disputed structure is the birth-place of Lord Ram according to the faith and belief of the Hindu devotees". The reasons of the learned judge are set out in an addendum.

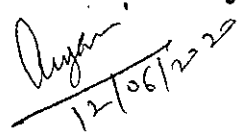
ADDENDA

x x x.

170. It is thus concluded on the conclusion that faith and belief of Hindus since prior to construction of Mosque and subsequent thereto has always been that Janmaasthan of Lord Ram is the place where Babri Mosque has been constructed which faith and belief is proved by documentary and oral evidence discussed above."

AND THIS COURT DOTH **FURTHER** ORDER that this ORDER be punctually observed and carried into execution by all concerned;

WITNESS the Hon'ble Shri Ranjan Gogoi, Chief Justice of India, at the Supreme Court, New Delhi, dated this the 9<sup>th</sup> day of November, 2019.

  
(AJAY KUMAR JAIN)  
DEPUTY REGISTRAR

21  
Schedule A  
(1)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
**CIVIL APPEAL NO. 10866-10867 OF 2010**

AMENDED CAUSE TITLE

**Civil Appeal No. 10866 of 2010 @ O.O.S. NO. 4/1989 (Regular Suit No. 12 of 1961)**

M. Siddiq @ Hafiz Mohammad Siddiq (D) Thr. Lrs.

@ Maulana Ashhad Rshidi  
S/o Maulana Rishid Uddin,  
R/o Committee of Jammiat Ulama-I-Hind (Uttar Pradesh)  
Subhash Marg, Ahata, Shuakti Ali, Rakab Ganj,  
Lucknow

**and Also:**

R/o Madasa Shahi, Shahi Masjid,  
Mand Chowk, Moradabad, (UP)

Appellant

Versus

1. Mahant Suresh Das, aged about  
55 years, Chela of Sri Param  
Hans, Ram Chandra Das, R/o Digambar  
Akhara, City Ayodhya, District  
Faizabad

Respondent No.1

- \$2. Nirmohi Akhara, situate in  
Mohalla Ram Ghat City Ajodhiya,  
District Faizabad, Through

Mahant Rameshwar Das (D) Thr.  
Its present Mahant Dinendra Das  
R/o Mohalla Ramghat, City  
Ayodhya District Faziabad, UP

Respondent No.2

- \*\*3. Mahant Raghunath Das Chela  
Mahant Dharam Das, Mahant  
and Sarbarakar Nirmohi Akhara  
Mohalla Ram Ghat, City  
Ajodhiya, District Faizabad.

Respondent No.3

4. The State of U.P. through Chief  
Secretary to the State Govt. of  
U.P. (corrected under Court's  
order dated 30-01-62)

Respondent No.4

5. The Collector, Faizabad.

Respondent No.5

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6. The City Magistrate, Faizabad. Respondent No.6
7. The Superintendent of Police Faizabad. Respondent No.7
- \*8. B. Priya Dutt (Since Deceased) ..
- \*\* Through his Legal Heir  
Jyoti Pati Ram, aged 60 years  
R/o Mohalla Rakabganj, Faizabad, U.P. Respondent No.8
9. President, All India Hindu Maha Sabha, Read Road New Delhi. Respondent No.9
10. President, Arya Maha Pradeshik Sabha Baldan Bhawan, Shradhanand Bazar, Delhi Respondent No.10
11. President, All India Sanatan Dharm Sabha, Delhi. Respondent No.11
12. Dharam Das alleged Chela Baba Abhiram Das. R/o Hanuman Garhi, Ayodhya, Faizabad. Respondent No.12
13. Pundrik Misra, age 33 years, S/o Raj Narain Misra R/o Balrampur Sarai, Rakabganj, Faizabad. Respondent No.13
- \*\*14. Sri Ram Dayal Saran, Chela of late Ram Lakhan Saran, R/o Town Ayodhya, District Faizabad. Respondent No.14
15. Ramesh Chandra Tripathi aged about 29 years, S/o Sri Paras Rama Tripathi, R/o Akbarpur, Distt. Faizabad. Respondent No.15
- \*\*16. Mahant Ganga Das aged about 45 years (Chela) Mahant Sarju Dass R/o Mandir Ladle Prasad, City Ayodhya Faizabad. Respondent No.16

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\*\*17. Shri Swami Govindaacharya,  
Manas Martand Putra,  
Balbhadar Urf Jhallu, R/o  
Makan No. 735, 736, 737 Katra  
Ayodhya, Pargana Haveli Auth  
Tehsil and Zila Faizabad.

Respondent No. 17

18. Madan Mohan Gupta,  
Convener of Akhil Bhartiya Sri  
Ram Janam Bhoomi  
Punarudhar Samiti, E-7/45  
Bangla T.T. Nagar Bhopal.

Respondent No. 18

19. Umesh Chandra Pandey, S/o  
Sri R.S. Pandey R/o Ranupalli,  
Ayodhya, District Faizabad.

Respondent No. 19

20. Umesh Chandra Pandey S/o  
Shri R.S. Pandey R/o  
Ranupalli, Ayodhya, District  
Faizabad (U.P.)

Respondent No. 20

21. The Sunni Central Board of  
Waqfs U.P. Lucknow, Moti Lal  
Bose Road, P.S. Kaiserbagh,  
City Lucknow through Shah  
Ghyas Alam, Secretary

Respondent No. 21

\*\*22. Haji Mohammad Ehtram Ali,  
aged about 70 years, S/o  
Munshi Mohammad Ehtisham  
Ali, R/o Khayaliganj, P.S.  
Kaiserbagh City Lucknow  
(Deceased)

Respondent No. 22

\*\*23. Ziauddin aged about 46 years,  
S/o Haji Shahabuddin  
(deceased) R/o Mohalla  
Angoori Bagh, Pargana Haveli  
Oudh, City and District  
Faizabad (U.P.)

Respondent No. 23

24. Misbahuddeen aged about 39  
years, S/o Ziauddin, R/o  
Mohalla Angoori Bagh, Awadh  
City Tahsil and District  
Faizabad (U.P.)

Respondent No. 24

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\$25. Mohammad Hashim (D) Thr. Lrs.  
Mohammad Iqbal Ansari  
S/o Late Mohammad Hashim  
4/318, Kotia, Ayodhya, District Faizabad,  
Uttar Pradesh

Respondent No. 25

26. Maulana Mahfoozurahman  
aged about 52 years, S/o Late  
Maulana Wakiluddin, R/o  
Village Madarpur, Pargana and  
Tahsil Tanda, Faizabad (U.P.)

Respondent No. 26

\*\*27. ~~Mahmud Ahmad aged about 30  
years S/o Ghulam Hasan, R/o  
Mohalla Rakabganj, City  
Faizabad (U.P.)~~

Respondent No. 27

28. Farooq Ahmad, S/o Sri Zahoor  
Ahmad, R/o Mohalla Naugazi  
Qabar, Ayodhya City, Ayodhya,  
Dist. Faizabad (U.P.)

Respondent No. 28

Civil Appeal No. 10867/2010 @ O.O.S. NO. 4/1989 (Regular Suit No. 236 of 1989)

M. Siddiq @ Hafiz Mohammad Siddiq (D) Thr. Lrs.

@ Maulana Ashhad Rshidi  
S/o Maulana Rishid Uddin,  
R/o Committee of Jammiat Ulama-I-Hind (Uttar Pradesh)  
Subhash Marg, Ahata, Shuakti Ali, Rakab Ganj,  
Lucknow

and Also:

R/o Madasa Shahi, Shahi Masjid,  
Mand Chowk, Moradabad, (UP)

Appellant

VERSUS

1. Bhagwan Sri Rama Virajman at  
Sri Rama Janma Bhumi,  
Ayodhya, also called Bhagwan  
Sri Rama Lala Virajman  
represented by next friend, Sri  
Triloki Nath Pandey aged  
about 65 years, S/o late Askrut  
Pandey, R/o Karsewak Puram  
District Faizabad.

Respondent No. 1

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2. Asthan Sri Rama Janma Bhumi, Ayodhya, represented by next friend, Sri Triloki Nath Pandey aged about 65 years, S/o late Askrut Pandey, R/o Karsewak Puram, District Faizabad  
Respondent No. 2
3. Triloki Nath Pandey Aged about 65 years, S/o late Sri Askrut Pandey, R/o Karsewak Puram District Faizabad.  
Respondent No. 3
4. Sri Rajendra Singh, adult, Son of late Sri Gopal Singh Visharad, at present residing at Gonda, care of the State Bank of India, Gonda Branch Gonda.  
Respondent No. 4
- \*\*5. ~~Param Hans Mahant Ram Chandra Das of Digambar Akhara, Ayodhya.~~  
Respondent No. 5
6. Mahant Suresh Das aged about 55 years Chela Late Mahant Param Ramchandra Das, R/o Digambar Akhara City Ayodhya Distt. Faizabad, (U.P.)  
Respondent No. 6
- \$7. Nirmohi Akhara Mohalla Ram Ghat, Ayodhya through Mahant Jagannath Das (D), through present Mahant Dinendra Das R/o Mohalla Ram Ghat, Ayodhya, District Faizabad.  
Respondent No. 7
8. Sunni Central Board of Waqfs U.P., through its Chairman having its office at Moti Lal Bose Road, Lucknow.  
Respondent No. 8  
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- \$9. Mohammad Hashim (D) Thr. Lrs.  
Mohammad Iqbal Ansari  
S/o Late Mohammad Hashim  
4/318, Kotia, Ayodhya, District Faizabad,  
Uttar Pradesh Respondent No. 9
- \* 10. ~~Sri Mahmud Ahmad (Dead) Thr. Lrs.~~
- # ~~Anwar Ahmad (D) Thr. Lrs.~~
- \*\* ~~Mr. Faiz Ahmad, grandson of  
Late Sh. Mahmud Ahmad,  
R/o Mohalla, Rakabganj, Faizabad U.P~~ Respondent No. 10
11. State of U.P. through the  
Secretary, Home Department,  
Civil Secretariat, Lucknow. Respondent No. 11
12. The Collector and District  
Magistrate, Faizabad. Respondent No. 12
13. The City Magistrate, Faizabad. Respondent No. 13
14. The Senior Superintendent of  
Police, Faizabad. Respondent No. 14
15. The President, All India Hindu  
Mahasabha, New Delhi. Respondent No. 15
16. The President, All India Arya  
Samaj, Dewan Hall Delhi. Respondent No. 16
17. The President, All India  
Sanatan Dharma Sabha Delhi. Respondent No. 17
18. Sri Dharam Das adult, Chela  
Baba Abhiram Das R/o  
Hanuman Garhi, Ayodhya. Respondent No. 18
19. Sri Pundarik Misra, Adult S/o  
Sri Raj Narain Misra, R/o  
Baham Pur Sarai, Rakabganj,  
Faizabad. Respondent No. 19
- \*\*20. ~~Sri Ram Dayal Saram Adult,  
Chela Ram Lakhon Saram, R/o  
Ramcharit Manas Bhawan,  
Mohall Ramkot, Ayodhya.~~ Respondent No. 20

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21. Sri Ramesh Chandra Tripathi  
Adult, S/o Sri Parash Ram  
Tripathi, R/o Village Bhagwan  
Patti, Pargana Minjhaura,  
Tahsil Akbarpur, District  
Faizabad.

Respondent No. 21

22. Sri Umesh Chandra Pandey  
Adult S/o Sri Uma Shanker  
Pandey, Advocate, R/o  
Ranopali, Ayodhya.

Respondent No. 22

\*\*\*23. Sri Rama Janam Bhumi Nyas,  
a Trust having its office at  
Sankat Mochan Ashram, Sri  
Hanuman Mandir, Rama  
Krishan Puram, Sector VI, New  
Delhi,  
through Sri Ashok Singhal (Dead) Thr.  
Sri Champat Rai Trustee

Respondent No. 23

24. Shia Central Board of Waqfs.  
U.P. Lucknow, through its  
Chairman, 817 Indra Bhawan,  
Ashok Marg, Lucknow (U.P.)

Respondent No. 24

25. Vakeeluddin (Dead) through his  
legal heir Maulana Mehfooz  
Rehman S/o Vakeeluddin aged  
about 60 years, R/o Madarpur  
Pargana and Tehsil Tanda  
District Faizabad

Respondent No. 25

@ Sole Appellant has been substituted vide order dated 15.4.2013 of Hon'ble Court  
made in I.A. Nos. 21-22 & 23-24.

SD/- ON 22.4.2013  
ASSISTANT REGISTRAR

\* I.A. No. 5-6 and 7-8 have been allowed vide Hon'ble Court's order dated 10.9.2013. ✓  
# The name o Faiz Ahmad has been substituted in place of deceased Respondent No. 10  
vide Hon'ble Court's order dated 16.9.2013.

SD/- ON 22.4.2013  
ASSISTANT REGISTRAR

\*\* Respondent Nos. 3, 8, 14, 16, 17, 22, 23 and 27 in Civil Appeal No. 10866/2010 and  
Respondent Nos. 5, 10 and 20 in Civil Appeal No. 10867/2010 are deleted from array of  
parties vide Hon'ble Judge in Chamber order dated 20.11.2017 passed in IA No.  
117748/2017

SD/- ON 23.11.2017  
ASSISTANT REGISTRAR

CA 10866-67/10

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\*\*\* Representative of deceased Respondent No. 23 in CA No. 10867/2010 has been brought on record vide Hon'ble Chamber Judge Order dated 29.01.2018 passed in I.A. Nos. 128117 and 131064 of 2017..

SD/- ON 02.02.2018


ASSISTANT REGISTRAR

\$ Lrs of deceased representative of Respondent No. 2 and 7 in CA Nos. 10866-10867 of 2010 and Lrs. of deceased Respondent No. 25 and 9 in CA Nos. 10866-10867 of 2010 brought on record vide Hon'ble Court's order dated 14.03.2018 passed in IA Nos. 26066, 26067 and 29395 of 2018.

  
ASSISTANT REGISTRAR

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21. Sri Ramesh Chandra Tripathi  
Adult, S/o Sri Parash Ram  
Tripathi, R/o village Bhagwan  
Patti, Pargana Minjhaura,  
Tahsil Akbarpur, District  
Faizabad. Defendant Respondent  
No.17 No.21  
V/A YPD. C/S

22. Sri Umesh Chandra Pandey  
Adult S/o Sri Uma Shanker  
Pandey, Advocate, R/o  
Ranopali, Ayodhya. Defendant Respondent  
No.20 No.22 C/S

23. Sri Rama Janam Bhumi Nyas,  
a Trust having its office at  
Sankat Mochan Ashram, Sri  
Hanuman Mandir, Rama  
Krishan Puram, Sector VI, New  
Delhi, through Sri Ashok  
Singhal, Managing Trustee. Defendant Respondent  
No.21 No.23 C/S

24. Shia Central Board of Waqfs.  
U.P. Lucknow, through its  
Chairman, 817 Indra Bhawan,  
Ashok Marg, Lucknow (U.P.) Defendant Respondent  
No.22 No.24  
V/A M.C. Dwivedi

25. Vakeeluddin (Dead) through his  
legal heir Maulana Mehfooz  
Rehman S/o Vakeeluddin aged  
about 60 years, R/o Madanpur  
Pargana and Tehsil Tanda  
District Faizabad Defendant Respondent  
No.27 No.25  
Syed - Hussain

(\*) Solo-appellant has been substituted vide Respondent Nos.4 to 25 are  
Orders dt. 15/04/13 of Hon. Court made in IA Proforma Respondents  
Nos. 21-22 & 23-24. C/S

ASSISTANT REGISTRAR All Respondents are  
Contesting Respondents

AND IN THE MATTER OF:

AN APPEAL UNDER SECTION 96 OF CODE OF CIVIL  
PROCEDURE, 1908 IN TERMS OF ORDER OF THE  
HON'BLE HIGH COURT DATED 30.09.2010 "ANNEXURE  
"A" AGAINST THE FINAL IMPUGNED JUDGMENT AND  
DECREE DATED 30.09.2010 PASSED BY HON'BLE HIGH  
COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW

\* IA Nos 5-6-7-8 have been allowed vide Hon'ble Ct's order dt. 10.09.2013

# The name of Faiz Ahmad has been substituted in place of deceased R-10  
vide Hon'ble Court's order dt. 16.09.2013.

www.vadaprativada.com ASSISTANT REGISTRAR

8621

BENCH IN O.O.S. NO.4/1989 (REGULAR SUIT NO.12 OF 1961) AND O.O.S. NO.5/1989 (REGULAR SUIT NO.236 OF 1989) READ WITH ARTICLE 136(1) OF THE CONSTITUTION OF INDIA.

TO,

HON'BLE THE CHIEF JUSTICE OF INDIA  
AND HIS LORDSHIPS COMPANION JUDGES OF THE  
HON'BLE SUPREME COURT OF INDIA

THE HUMBLE PETITION OF THE  
APPELLANT ABOVE NAMED

**MOST RESPECTFULLY SHOWETH:**

1. That the Appellant prefers the present First Appeal for determination of all questions of facts as well as Law against the final impugned judgment and decree dated 30.09.2010 passed by Hon'ble High Court of judicature at Allahabad, Lucknow Bench, Lucknow in O.O.S. NO.4/1989 (Regular Suit No.12 of 1961) and O.O.S. No.5/1989 (Regular Suit No.236 of 1989) in terms of a separate orders passed by the Hon'ble High Court annexed hereto and marked as **Annexure A**.
- 1(a) That the Appellant at the outset craves leave of this Hon'ble Court to refer and rely upon all such legal, factual or other submissions which may be brought before this Hon'ble Court in any subsequent petition concerning the issue by any of the litigating parties challenging the said impugned judgment and Order passed by the High Court of judicature at Allahabad, Lucknow Bench, Lucknow presently impugned in this petition for the purposes of the present Appeal. The same shall be deemed to have been incorporated in the present Appeal.
- 1(b) That the subject matter of the present Appeal is the famous "Babri Masjid Ram Janam Bhumi issue". For the

(11) 31  
CA 4768-71/11

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

AMENDED CAUSE TITLE  
CIVIL APPEAL NOS. 4768-4771 of 2011

CIVIL APPEAL NO. 4768/2011 @ 4768-4771 OF 2011 @ OOS NO. 5 OF 1989

1. Bhagwan Sri Rama Virajmam  
at Sri Rama Janma Bhumi, Ayodhya,  
also called Bhagwan Sri Rma Lala Virajman,  
represented by next friend,  
Sri Triloki Nath Pandey  
S/o late Sri Askrut Pandey,  
R/o karsewak Puram,  
District Faizabad, U.P.

Appellant-1

2. Asthan Sri Rama Janma Bhumi ,  
Ayodhya, represented by next friend,  
Sri Triloki Nath Pandey  
S/o late Sri Askrut Pandey,  
R/o Karsewak Puram,  
District Faizabad, U.P.

Appellant-2

3. Triloki Nath Pandey  
Aged about 65 years,  
S/o late Sri Askrut Pandey,  
R/o Karsewak Puram,  
District Faizabad, U.P.

Appellant-3

VERSUS

1. Sri Rajendra Singh , adult,  
S/o Late Sri Gopal Singh Visharad, at  
Present residing at Gonda,  
care of the State Bank of India, Gonda  
Branch Gonda, U.P.

Respondent No. 1

Mahant Suresh Das  
Chela Late Mahant Param Ramchandra Das  
Digambar Akhara,  
Ayodhya, U.P.

Respondent No. 2

Nirmohi Akhara Mohalla Ram Ghat,  
Ayodhya, through its present  
Mahant Sri Ram Kewal Das (D) Thr.

Mahant Dinendra Das Chela Mahant Bhairo Das  
Naga Chela Mahant Raja Ramachandracharya  
R/o Shri Panch Ramanandi Nirmohi  
Akhara Mohalla Ram Ghat, Kotwali Ayodhya  
District Faizabad, U.P.

Respondent No. 3

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4. Sunni Central Board of Waqfs  
U.P. having its office at Moti Lal  
Bose Road, Lucknow, U.P.  
through its Secretary  
Shah Ghyas Alam

Respondent No. 4

- \$5. Sri Mohammad Hashim, (D) Thr. Lrs.  
Mohammad Iqbal Ansari  
son Late Mohammad Hashim  
4/318, Mohalla Kotia, Jalwanpur, Pargana  
Haveli Awadh, Tehsil Sadar, Ayodhya,  
Dist. Faizabad (UP)

Respondent No. 5

- \$6. Sri Mahmud Ahmad (D) Thr. Lrs.  
Dr. Faiz Ahmad  
S/o Late Anwar Ahmad  
Grandson of Late Mohd. Ahmad  
R/o Shifa Dental Clinic, Mohalla Rakabganj,  
Pargana-Haveli Awadh, City and District Faizabad (UP)

Respondent No. 6

7. State of Uttar Pradesh,  
through the Secretary,  
Home Department, Civil  
Secretariat, Lucknow.

Respondent No. 7

8. The Collector & District Magistrate,  
Faizabad, U.P.

Respondent No. 8

9. The City Magistrate, Faizabad.  
Uttar Pradesh.

Respondent No. 9

10. The Senior Superintendent  
of Police, Faizabad, U.P.

Respondent No. 10

11. The President, All India Hindu  
Mahasabha, New Delhi.

Respondent No. 11

12. The President  
All India Arya Samaj,  
Dewan Hall, Delhi.

Respondent No. 12

13. The President,  
All India Sanatam Dharma  
Sabha Delhi.

Respondent No. 13

14. Sri Dharam Das Adult,  
Chela Baba, Abhiram Das,  
resident of Hanuman Garhi,  
Ayodhya, U.P.

Respondent No. 14

CA 4768 - 4771/11

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15. Sri Pundarik Misra,  
Adult son of Sri Raj Narain Misra,  
resident of Baham pur Sarai, Rakabganj,  
Faizabad , U.P. Respondent No. 15
16. ~~Sri Ram Dayal Saran Adult,~~  
~~Chela Ram Lakhan Saran,~~  
~~R/o Ramcharit Manas Bhavan,~~  
~~Mohalla Ramkot, Ayodhya~~  
~~Uttar Pradesh.~~ Respondent No. 16
17. Sri Ramesh Chandra Tripathi  
Son of Sri Parash Ram Tripathi,  
resident of Village Bhagwan Patti,  
Pargana Minjhaura, Tehsil  
Akbarpur , District Faizabad , U.P. Respondent No. 17
18. Sri Umesh Chandra Pandey,  
Adult, son of Sri Uma Shankar Pandey,  
Advocate, resident of Ranopali,  
Ayodhya, U.P. Respondent No. 18
19. Shia Central Board of Waqfs,  
U.P. , Lacknow, through its  
Mutwalli Respondent No. 19
20. Hafiz Mohd. Siddiqui, (D) Thr. Lrs.  
Maulana Rshiduddin (Major)  
Committee of JUMMIAT Ulama-I-Hind,  
Subhash Marg, Ahata Shaukati Ali,  
Lucknow, Uttar Pradesh Respondent No. 20
21. Vakeeluddin aged about 55 years,  
son of Ismail, resident of Madarpur  
pergana and Tehsil Tanda District Faizabad. Respondent No. 21

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CIVIL APPEAL NO. 4769/2011 @ 4768-4771 OF 2011 @ IN O.O.S. NO.4 OF 1989

1. Bhagwan Sri Rama Virajman  
at Sri Rama Janma Bhumi, Ayodhya,  
also called Bhagwan Sri Rma Lala Virajman,  
represented by next friend,  
Sri Triloki Nath Pandey  
S/o late Sri Askrut Pandey  
R/o Karsewak Puram,  
District Faizabad, U.P. Appellant -1

2. Asthan Sri Rama Janma Bhumi,  
Ayodhya, represented by next friend,  
Sri Triloki Nath Pandey  
S/o late Sri Askrut Pandey  
R/o Karsewak Puram,  
District Faizabad, U.P. Appellant -2

3. Triloki Nath Pandey  
Aged about 65 years,  
S/o late Sri Askrut Pandey,  
R/o Karsewak Puram,  
District Faizabad, U.P. Appellant -3

VERSUS

1. Sunni Central Board of Waqfs  
U.P. having its office at Moti Lal  
Bose Road, Lucknow, U.P.  
through its Secretary  
Shah Ghyas Alam Respondent No. 1

\$2. Mohd. Siddiq @ Mohammad Siddiq (D) Thr. Lrs.  
Maulana Rshiduddin (Major)  
Committee of JUMMIAT Ulama-I-Hind,  
Subhash Marg, Ahata Shaukati Ali,  
Lucknow, Uttar Pradesh Respondent No. 2

\*\*3. Ziauddin  
S/o Hazi Shahabuddin  
R/o Mohalla Angoori Bagh,  
Pargana Haveli, Oudh City  
District Faizabad, U.P. Respondent No. 3

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(15) 135

4 Misbahuddin  
S/o Ziauddin  
R/o Mohalla Angoori Bagh,  
Pargana Haveli, Oudh City  
District Faizabad, U.P.

Respondent No. 4

5. Sri Mohammad Hashim, (D) Thr. Lrs.

Mohammad Iqbal Ansari  
son Late Mohammad Hashim  
4/318, Mohalla Kotia, Jalwanpur, Pargana  
Haveli Awadh, Tehsil Sadar, Ayodhya,  
Dist. Faizabad (UP)

Respondent No. 5

6. Maulana Mahfoozurahman  
S/o late Maulana Vakilluddin  
R/o Village Madarpur,  
Pargana and tehsil Tanda  
District Faizabad, U.P.

Respondent No. 6

7. Sri Mahmud Ahmad (D) Thr. Lrs.

Dr. Faiz Ahmad  
S/o Late Anwar Ahmad  
Grandson of Late Mohd. Ahmad  
R/o Shifa Dental Clinic, Mohalla Rakabganj,  
Pargana-Haveli Awadh, City and District Faizabad (UP)

Respondent No. 7

8. Farooq Ahmad  
S/o Shri Zahoor Ahmad  
R/o Mohalla Nauganj Qabar  
Ayodhya, City Ayodhya  
District Faizabad, U.P.

Respondent No. 8

9. Mahant Suresh Das,  
Chela of Late Param Hans  
Ram Chandra Das  
R/o Digamber Akhara,  
District Faizabad, U.P.

Respondent No. 9

\$10. Nirmohi Akhara Mohalla Ram Ghat,  
Ayodhya, through its present  
Mahant Sri Ram Kewal Das (D) Thr. Lrs. ,

Mahant Dinendra Das Chela Mahant Bhairo Das  
Naga Chela Mahant Raja Ramachandracharya  
R/o Shri Panch Ramanandi Nirmohi  
Akhara Mohalla Ram Ghat, Kotwali Ayodhya  
District Faizabad, U.P.

Respondent No. 10

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 16 36

- \*11. Mahant Raghunath Das  
 Chela Mahant Dharam Das  
 Mahant and Sarbarkar Nirmohi Akhara  
 Mohalla Ram Chat, City Ajodhiya,  
 District Faizabad, U.P. Respondent No. 11
12. State of Uttar Pradesh,  
 through the Chief Secretary,  
 Govt. of Uttar Pradesh  
 Secretariat, Lucknow. Respondent No. 12
13. The Collector & District Magistrate,  
 Faizabad, U.P. Respondent No. 13
14. The City Magistrate, Faizabad.  
 Uttar Pradesh. Respondent No. 14
15. The Senior Superintendent  
 of Police, Faizabad, U.P. Respondent No. 15
- \*\*16. B. Priya Dutta  
 S/o R.B. Baba Kamapat Ram  
 R/o Rakabganj, Faizabad,  
 Uttar Pradesh. Respondent No. 16
17. The President  
 All India Hindu Maha Sabha  
 Read Road, New Delhi Respondent No. 17
18. The President,  
 Arya Mahapradeshik Sabha  
 Baldan Bhawan, Sharadhanana  
 Bazar, Delhi. Respondent No. 18
19. The President,  
 All India Sanatam Dharma  
 Sabha Delhi. Respondent No. 19
20. Sri Dharam Das Adult,  
 Chela Baba, Abhiram Das,  
 resident of Hanuman Garhi,  
 Ayodhya, U.P. Respondent No. 20
21. Sri Pundarik Misra,  
 Adult son of Sri Raj Narain Misra,  
 resident of Baham pur Sarai,  
 Rakabganj, Faizabad, U.P. Respondent No. 21

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(17)  
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\*22. Sri Ram Dayal Saran Adult,  
Chela Ram Lakhon Saran,  
R/o Ramcharit Manas Bhavan,  
Mohalla Ramkot, Ayodhya  
Uttar Pradesh.

Respondent No. 22

23. Sri Ramesh Chandra Tripathi  
Son of Sri Parash Ram Tripathi,  
resident of Village Bhagwan Patti,  
Pargana Minjhaura, Tehsil  
Akbarpur, District Faizabad, U.P.

Respondent No. 23

\*24. Mahant Ganga Das  
Chela of Mahant Sarju Das  
R/o Mandir Ladley Prasad  
City Ayodhya, Faizabad, U.P.

Respondent No. 24

\*25. Shri Swami Govindaacharya  
Manas Martand Putra,  
Balbhadar Urf Jhaloo  
R/o House No. 735, 736, 737,  
Katra Ayodhya, Pargana Haveli Outh  
Tehsil and Distt. Faizabad, U.P.

Respondent No. 25

26. Madan Mohan Gupta  
Convener of Akhil Bhartiya  
Sri Ram Janam Bhoomi  
Punaraudhar Samiti  
E-7/45 Banglow, T.T. Nagar  
Bhopal, Madhya Pradesh.

Respondent No. 26

27. Sri Umesh Chandra Pandey,  
Adult, son of Sri Uma Shankar Pandey,  
Advocate, resident of Ranopali,  
Ayodhya, U.P.

Respondent No. 27

CIVIL APPEAL NO. 4770/2011 @ 4768-4771 OF 2011 @ IN O.O.S. NO.1 OF 1989

1. Bhagwan Sri Rama Virajman  
at Sri Rama Janma Bhumi, ayodhya,  
also called Bhagwan Sri Rma Lala Virajman,  
represented by next friend,  
Sri Triloki Nath Pandey  
S/o late Sri Askrut Pandey,  
R/o Karsewak Puram,  
District Faizabad, U.P.

Appellant-1

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(18)

2. Asthan Sri Rama Janma Bhumi,  
Ayodhya, represented by next friend,  
Sri Triloki Nath Pandey  
S/o late Sri Askrut Pandey,  
R/o Karsewak Puram,  
District Faizabad, U.P.

Appellant-2

3. Triloki Nath Pandey  
Aged about 65 years,  
S/o late Sri Askrut Pandey,  
R/o Karsewak Puram,  
District Faizabad, U.P.

Appellant-3

VERSUS

1. Shri Gopal Singh Visharad  
Survived by Sri Rajendra Singh,  
Presently residing at Gonda,  
cere of the State Bank of India, Gonda  
Branch Gonda, Uttar Pradesh.

Respondent-1

2. Farooq Ahmad  
S/o Zahoor Ahmad  
R/o Tedi Bazar Ayodhya  
Faizabad, U.P.

Respondent-2

3. State of Uttar Pradesh,  
through the Secretary, Home  
Department, Civil  
Secretariat, Lucknow.

Respondent-3

The Deputy Commissioner  
Faizabad, Uttar Pradesh.

Respondent-4

The City Magistrate  
Faizabad, Uttar Pradesh

Respondent-5

The Superintendent of Police  
Faizabad, Uttar Pradesh.

Respondent-6

Sunni Central Board of Waqfs  
U.P. having its office at Moti Lal  
Bose Road, Lucknow, Uttar Pradesh  
through its Muttawalli.

Respondent-7

9-  
CA 4768-4771/11  
(9) 39  
\$8. Nirmohi Akhara Mohalla Ram Ghat,  
Ayodhya, through its present  
Mahant Sri Ram Kewal Das (D) Thr. Lrs.

Mahant Dinendra Das Chela Mahant Bhairo Das  
Naga Chela Mahant Raja Ramachandracharya  
R/o Shri Panch Ramanandi Nirmohi  
Akhara Mohalla Ram Ghat, Kotwali Ayodhya  
District Faizabad, U.P.

Respondent-8

CIVIL APPEAL NO. 4771/2011 @ 4768-4771 OF 2011 @ IN O.O.S. NO.3 OF 1989

1. Bhagwan Sri Rama Virajman  
at Sri Rama Janma Bhumi, ayodhya,  
also called Bhagwan Sri Rma Lala Virajman,  
represented by next friend,  
Sri Triloki Nath Pandey  
S/o late Sri Askrut Pandey,  
R/o Karsewak Puram,  
District Faizabad, U.P.

Appellant-1

2. Asthan Sri Rama Janma Bhumi,  
Ayodhya, represented by next friend,  
Sri Triloki Nath Pandey  
S/o late Sri Askrut Pandey,  
R/o Karsewak Puram,  
District Faizabad, U.P.

Appellant-2

3. Triloki Nath Pandey  
Aged about 65 years,  
S/o late Sri Askrut Pandey,  
R/o Karsewak Puram,  
District Faizabad, U.P.

Appellant-3

VERSUS

1. Nirmohi Akhara Mohalla Ram Ghat,  
Ayodhya, through its present  
Mahant Sri Ram Kewal Das (D) Thr. Lrs. ,

Mahant Dinendra Das Chela Mahant Bhairo Das  
Naga Chela Mahant Raja Ramachandracharya  
R/o Shri Panch Ramanandi Nirmohi  
Akhara Mohalla Ram Ghat, Kotwali Ayodhya  
District Faizabad, U.P.

Respondent-1

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- ca 4769-4771/11
- @2. Sri Jamuna Prasad Singh  
Receiver R/o Deo Kali Road,  
City Faizabad, U.P. Respondent-2
3. State of Uttar Pradesh,  
through the Chief Secretary,  
Govt. of Uttar Pradesh  
Secretariat, Lucknow. Respondent-3
4. The Deputy Commissioner  
Faizabad, U.P. Respondent-4
5. The City Magistrate, Faizabad.  
Uttar Pradesh. Respondent-5
6. The Senior Superintendent  
of Police, Faizabad, U.P. Respondent-6
7. Hazi Mehboob  
R/o Mohalla Jerhi Bazar,  
City Ayodhya Tehsil and  
District Faizabad, U.P. Respondent-7
8. Hazi Abdul Ahmed  
R/o Mohalla Jerhi Bazar,  
City Ayodhya Tehsil and  
District Faizabad, U.P. Respondent-8
- \*9. Mohammad Faiq  
S/o Haji Ramzan  
R/o Mohalla Jerhi Bazar,  
City Ayodhya Tehsil and  
District Faizabad, U.P. Respondent-9
- \*10. Mohammad Achhan Mian  
R/o Mohalla Katra  
City Ayodhya Tehsil and  
District Faizabad, U.P. Respondent-10
11. Sunni Central Board of Waqfs  
U.P. having its office at Moti Lal  
Bose Road, Lucknow, Uttar Pradesh  
through its Muttawalli. Respondent-11

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LII

12. Sri Umesh Chandra Pandey,  
Adult, son of Sri Uma Shankar Pandey,  
Advocate, resident of Ranopali,  
Ayodhya, U.P.

Respondent-12

13. Mohd. Farooq  
S/o Shri Zahoor Ahmad  
R/o Mohalla Nauganj Qabar  
Ayodhya, City Ayodhya  
District Faizabad, U.P.

Respondent-13

\* Respondent No. 16 in Civil Appeal No. 4768 of 2011, Respondent Nos. 11, 22, 24 and 25 in Civil Appeal No. 4769 of 2011 and Respondent Nos. 9 and 10 in Civil Appeal No. 4771 of 2011 deleted from the array of parties vide Hon'ble Judge in Chamber order dated 6.11.2017 passed in I.A. No. 79643 of 2017.

\*\* Respondent Nos. 3 and 16 in Civil Appeal No. 4769 of 2011 is deleted form array of parties vide Hon'ble Judge in Chamber order dated 20.11.2017 passed in I.A. No. 79648 of 2017.

sd/- on 27.11.2017  
ASSISTANT REGISTRAR

@ Respondent No. 2 in CA No. 4771/2011 deleted from array of parties vide Hon'ble Chamber Judge order dated 29.1.2018 in IA No. 124778 of 2017.

\$ Lrs. of deceased common Respondent No. 5 in CA No. 4768/2011 and 4769/2011, Lrs. of deceased common Respondent No. 6 in CA No. 4768/2011, and 7 in CA No. 4769/2011 and Lrs. of deceased common Respondent Nos. 3 in CA No. 4768/2011, R-10 in CA No. 4769/2011, R-8 in CA No. 4770/2011 and R-1 in CA No. 4771/2011 and Lrs. of deceased common Respondent No. 20 in CA No. 4768/2011 and Respondent No. 2 in CA No. 4769/2011 are brought on vide Hon'ble Chamber Judge Order dated 29.1.2018 in I.A. Nos. 124771, 9112/2018 and 9115/2018.

ASSISTANT REGISTRAR

CA 4268 - 4271/11

13. Mohd. Farooq  
S/o Shri Zahoor Ahmad  
R/o Mohalla Nauganj Qabar  
Ayodhya, City Ayodhya  
District Faalabad, U.P.

Defendant-11 Respdt-13

..CONTESTING RESPONDENTS

APPEAL UNDER SECTION 96 OF THE C.P.C. 1908,  
IN TERMS OF ORDER OF THE HON'BLE HIGH  
COURT DATED 30.9.2010 PASSED BY HON'BLE  
HIGH COURT OF JUDICATURE AT ALLAHABAD,  
LUCKNOW BENCH LUCKNOW IN O.O.S. NO.5 OF  
1989 (REGULAR SUIT NO.236 OF 1989), O.O.S.  
NO.4/1989 (REGULAR SUIT NO.12 OF 1961),  
O.O.S. NO.1/1989 (REGULAR SUIT NO.2 OF 1950),  
O.O.S. NO.3/1989 (REGULAR SUIT NO.26 OF 1959)  
READ WITH ARTICLE 136(1) OF THE  
CONSTITUTION OF INDIA.

TO

THE HON'BLE CHIEF JUSTICE OF INDIA  
AND HIS COMPANION JUSTICES OF THE  
HON'BLE SUPREME COURT OF INDIA

The humble petition of the  
petitioner abovenamed.

C.A 2636/2011 (23) 8618  
860411

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION.  
CIVIL APPEAL NO. OF 2011

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(ARISING OUT OF FINAL ORDER AND JUDGEMENT DATED  
30.09.2010 PASSED BY THE HON'BLE HIGH COURT OF  
JUDICATURE AT ALLAHABAD, LUCKNOW BENCH IN OOS  
NO. 5 OF 1989 (REGULAR SUIT NO. 236 OF 1989)

IN THE MATTE OF:

THE PRESIDENT, ALL INDIA HINDU MAHASABHA

APPELLANT

VERSUS

BHAGWAN SRI RAM LALA

VIRAJMAN AND ORS

RESPONDENTS

POSITION OF PARTIES  
IN OOS NO.5 OF 1989  
(REGULAR SUIT NO. 236 OF 1989).

IN THE HIGH  
COURT

IN THIS COURT

The President, All India Defendant No.11 Appellant/  
Hindu Mahasabha, Swami Petitioner  
Chakrapani, National  
President, aged + about 35  
years, s/o Late Banarsi Lal, r/o  
President House 15-A Hindu  
Mahasabha Bhawan Mandir  
Marg New Delhi-110001.

..... Appellant/ Petitioner

AND

CA 2636/11 (24) 8619

1. Bhagwan Sri Ram Virajman at Plaintiff No.1      Respondent No.1  
Sri Rama Janam Bhumi,  
Ayodhya also called Bhagwan  
Sri Rama Lala Virajman,  
represented by next friend, Sri  
Triloki Nath Pandey aged about  
65 years, son of Late. Askrut  
Pandey, resident of Karsewak  
Puram, District Faizabad  
(proforma).      915
2. Asthan Sri Rama Janma Bhumi, Plaintiff no.2      Respondent No.2  
Ayodhya, represented by next  
friend, Sri Triloki Nath Pandey  
aged about 65 years son of late  
Askut Pandey, R/o Karsewak  
Puram District Faizabad  
(proforma).      915
3. Triloki Nath Pandey aged about Plaintiff No.3      Respondent No.3  
65 years son of late Askut  
Pandey, R/o Karsewak Puram  
District Faizabad (proforma).      915
4. Sri Rajendra Singh, adult, son Defendant No.1      Respondent No. 4  
of Late Sri Gopal Singh  
Visharad, at present residing at  
Gonda, care of the State Bank  
of India, Gonda Branch Gonda  
(proforma).      915 7A
5. Mahant Suresh Das, aged about Defendant No.2/1      Respondent No. 5  
55 years, Chela Late Mahant  
Ram Chandra Das of Digambar  
Akhara, Ayodhya (proforma).      915
6. Nirmohi Akhara Mohalla Ram Defendant No. 3      Respondent No.6  
Ghat, Ayodhya, through its  
President mahant Jagarnath Das,  
aged about 54 years, Chela of  
Vaishnav Das Nirmohi, r/o  
Mohalla Ram Ghat, Nirmohi  
Bazaar, Pargana Haveli Awadh,  
Ayodhya, District Faizabad.      915  
VYA

CA 2636/11

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8620

- (7.) Sunni Central Board of Waqfs, Defendant No.4 Respondent No. 7  
U.P. through its Chairman having its office at Moti Lal Bose Road Lucknow.
- (8.) Sri Mohammed Hasim, adult, S/o Defendant No.5 Respondent No. 8  
Sri Karim Baksh, r/o Mohalla Sutahti, Ayodhya. *Dead 82/11*
- (9.) Sri Mohammed Ahmed, adult, S/o Defendant No.6 ~~Respondent No. 9~~  
Sri Gulam Hussain, r/o Mohalla Rekabganj, Faizabad.  
(Dead) through LR *Dead*
- (9.A) Sri Anwar Ahmad, r/o Mohalla Rekabganj, Faizabad
10. State of Uttar Pradesh through the Defendant No.7 Respondent no. 10  
Secretary, Home Department, Civil Secretariat, Lucknow
11. The Collector/ District Magistrate Defendant No.8 Respondent no.11  
Faizabad.
12. The City Magistrate, Faizabad. Defendant No.9 Respondent no.12
13. The Senior Superintendent of Police Faizabad. Defendant No.10 Respondent no.13
14. The President, All India Arya Samaj Dewan Hall Delhi. Defendant No.12 Respondent no.14  
(proforma)
15. The President, All India Sanatan Dharma Sabha, Delhi. Defendant No.13 Respondent No. 15
16. Sri Dharam Das adult, Chela Baba Abhiram Das, r/o Hanuman Garhi Ayodhya. (proforma) Defendant No.14 Respondent No. 16
17. Sri Pundarik Mishra, adult, s/o Sri Raj Narain Mishra, r/o Bhampur Sarai, Rakabganj Faizabad. Defendant No.15 Respondent no.17
18. Sri Ram Dayal Saran, adult, Chela Ram Lakhan Saran, r/o Ram Charit Manas Bhawan, Mohalla Ram Kot, Ayodhya. Defendant No.16 Respondent no.18  
*Dead*

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19. Sri Ramesh Chandra Tripathi, Defendant No.17 Respondent  
adult, s/o Sri Parash Ram no.19  
Tripathi, r/o Village Bhagwan  
Patti, Pargana Minijhaura,  
Tehsil Akbarpur, Distt  
Faizabad.

Defendant No. 18  
and 19 have been  
deleted vide order  
dated 20.09.1989

20. Sri Umesh Chandra Pandey, Defendant No.20 Respondent  
adult, s/o Sri Uma Shankar no.20  
Pandey, Advocate, r/o Rano  
Pali, Ayodhya.

21. Sri Ram Janam Bhumi Nyas, a Defendant No.21 Respondent  
Trust having its office at no.21  
SankatMochan Ashram, Sri  
Hanuman Mandir, Rama  
Krishan Puram, Sector VI, New  
Delhi through Sri Ashok  
Singhal, Managing Trustee.  
(proforma)

22. Shia Central Board of Waqfs, Defendant No.22 Respondent  
U.P Lucknow, through its no.22  
Chairman, 817, Indra Bhawan,  
Ashok Marg, Lucknow (U.P).

Defendant no.23  
has been deleted  
vide order dated  
27.01.1992

Defendant no. 24  
has been Deleted  
vide order dated  
23.07.1997.

Defendant no. 25  
has been Deleted

A-2636/11

(27)

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vide order dated

10.11.1997.

25. Hafiz Mohammed Siddiqui, Defendant No.26 Respondent  
aged about 46 years, s/o Late no.25  
Haji Mohammed Ibrahim, r/o  
Lal Bagh, Muradabad, General  
Secretary, Jamaitul Ulema  
Hind, U.P Jaimait Building, B.N  
Verma Road, Kutchery Road,  
Lucknow
26. Vakiluddin aged about 55 Defendant No.27 Respondent  
years, s/o Ismail, r/o Madarpur, no.26  
Pargan and Tehsil Tanda,  
District Faizabad.

② L.R. of Respondent no. 9 substituted vide Haibine  
Court's order dt 11/8/17 ..... Respondents  
AE  
Asst. Registrar

To,

The Hon'ble the Chief Justice of India and

his Companion Justices of the Supreme Court of India.

The Appeal of the Appellant/ Petitioner above named:

MOST RESPECTFULLY SHEWETH:

1. The appellant above mentioned respectfully submits that this  
Appeal is being preferred against the final Judgment dated  
30.09.2010 passed by the High Court of Judicature At

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
(Under Article 136 of the Constitution of India)

AMENDED CAUSE TITLE

CIVIL APPEAL NO. 821 OF 2011

(Appeal arising out of final impugned Judgment and Order dated 30<sup>th</sup> September, 2010 of the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow in O.O.S No. 4 of 1989 (alongwith disposing off O.O.S No. 1, 3 & 5 of 1989).

UP Sunni Central Waqf Board,  
3-A, Mall Avenue, Lucknow (UP)  
through its Chief Executive Officer

Appellant

Versus

1. Mahant Suresh Das Chela Sri Param Hans  
Ram Chander Das, resident of Digambar Akhara,  
Ajodhia City, District Faizabad (UP)

Respondent No. 1

- \*\*2. Nirmohi Akhara situate in Mohalla Ram Ghat,  
through Mahant Rameshwar Das (Dead), Thr.

Mahant Dinendra Das Chela Mahant Bhairi Das Naga  
Chela Mahant Raja Ramchandracharya  
Resident of Shri Panch Ramanandi Nirmohi Akhara  
Ram Ghat, Kotwali, Ayodhya, District Faizabad (UP)

Respondent No. 2

- \*\*3. Mahant Raghunath Das Chela Mahant Dharm Das  
and Sarbarakar Nirmohi Akhara Mohalla Ram Ghat,  
City Ajodhya, Dist. Faizabad (UP)

Respondent No. 3

4. The State of Uttar Pradesh  
through Chief Secretary,  
to the State Government, (U.P)

Respondent No. 4

5. The Collector, Faizabad Collectrate  
Compound, Faizabad, (UP)

Respondent No. 5

6. The City Magistrate, Faizabad Collectrate  
Compound, Faizabad, (UP)

Respondent No. 6

7. The Superintendent of Police,  
S.P. Office Faizabad, Dist. Faizabad (UP)

Respondent No. 7

- \*\*8. B. Priya Dutt S/o R.B. Babu Kamlapat Ram,  
R/o Rakabganj, Faizabad, Dist. Faizabad (UP)

Respondent No. 8

9. President, All India Hindu Maha Sabha,  
(Pradeshik Sabha), Read Road, New Delhi

Respondent No. 9

10. President Arya Maha Samaj (Dewan Hall)  
Baldan Bhawan, Shradhananad Bazar, Delhi

Respondent No. 10

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CA 291/14  
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- President, All India Sanatan Dharam Sabha,  
Dhaura Kuan, New Delhi Respondent No. 11
- Dharam Das alleged Chela Baba Abhiram Das,  
Resident of Hanuman Garhi, Ayodhya,  
Faizabad (UP) Respondent No. 12
- Sri Pundrik Misra, Son of Raj Narain Misra,  
Resident of Balrampur Sarai, Rakabganj,  
Faizabad Respondent No. 13
- ~~Sri Ram Dayal Saran, Chela of late Ram  
Lakhan Saran, resident of town Ayodhya,  
District Faizabad (UP)~~ Respondent No. 14
- Ramesh Chandra Tripathi, aged about 73  
years, son of Sri Parsh Rama Tripathi,  
Resident of village Bhagwan Patti, Pargana  
Mijhaura, Tahsil Akbarpur, District Ambedkar  
Nagar (UP) Respondent No. 15
- ~~Mahant Ganga Das, (Chela of Mahant Sarju Dass),  
resident of Mandir Ladle Prasad, City Ayodhya,  
Faizabad (UP)~~ Respondent No. 16
- ~~Shri Swami Govindacharya, Manas Martand Putra  
Balbhadar Urf Jhallu, Resident of Makan No.-  
735, 736, 737, Katra Ayodhya, Pergana Haveli Audh,  
Tahsil and District Faizabad (UP)~~ Respondent No. 17
- Madan Mohan Gupta, convener of Akhil Bhartiya  
Sri Ram Janam Bhoomi Punarudhar Samti, E-  
7/45, Bangla T.T. Nagar, Bhopal (M.P.) Respondent No. 18
- Umesh Chandra Pandey, son of Sri R.S. Pandey,  
Resident of Ranupalli, Ayodhya, District Faizabad (UP) Respondent No. 19
- Mohd. Siddiq alias Hafiz Mohd. Siddiq (D) Thr. Lrs.  
Mr. Maulana Ashhad Rashidi  
S/o Maulana Rshiduddin, Jamiat Ulama-I-Hind,  
Subhash Marg, Ahata Shaukati Ali, Lucknow Respondent No. 20
- Misbahuddin, son of Late Ziauddin,  
Resident of Mohalla Angoori Bagh,  
Faizabad City, Faizabad (UP) Respondent No. 21

Mohammad Hashim(D) Thr. Lrs.

\* Mohammad Iqbal Ansari,  
S/o Late Mohammad Hashim  
4/318, Kotia, Ayodhya,  
District -Faizabad, UP

Respondent No. 22

Maulana Mahfoozurrahman S/o Maulana Wakiluddin,  
Resident of Village Madarpur,  
Pergana & Tehsil Tanda, District Faizabad (UP)

Respondent No. 23

24. Mahmud/Ahmad Son of Ghulam Hasan,  
Resident of Mohalla Rakabganj, City Faizabad,  
District Faizabad (UP)

Respondent No. 24

25. Farooq Ahmad, son of late Sri Zahoor Ahmad,  
Resident of Mohalla Naugazi Qabar,  
Ayodhya City, Ayodhya, District Faizabad,  
State of (UP)

Respondent No. 25

Lrs. of deceased Respondent No. 22 brought on record vide Hon'ble Court's order dated 1.8.2017 passed in I.A. No.3.

SD/- ON 16.9.2017

**ASSISTANT REGISTRAR**

Respondent Nos. 3, 8, 14, 16 and 24 are deleted from array of the parties vide Hon'ble Judge in Chambers order dated 20.11.2017 passed in I.A. Nos. 117217, 117213 and 117206 of 2017.

SD/- ON 23.11.2017

**ASSISTANT REGISTRAR**

\*\* Respondent No. 17 is deleted from array of the parties vide Hon'ble Court's order dated 8.2.2018 passed in IA No. 14847 of 2018.

\*\* Lrs. of deceased Respondent Nos. 2 and 20 brought on record vide Hon'ble Court's order dated 8.2.2018 passed in I.A. Nos. 14850, 14851, 14926, 14927 of 2018 and 14926, 14927 and 19847 of 2018 respectively.

**ASSISTANT REGISTRAR**

- A 22/11 (31) 8532<sup>51</sup>
22. Maulana Mahfoozur Rahman, S/o Maulana Vakiluddin, Resident of Village Madarpur, Pergana & Tahsil Tanda, District Faizabad. (U.P.). Plaintiff No. 8/1 Proforma Respondent
23. Mahmud/Ahmad son of Ghulam Hasan, resident of Mohalla Rakabganj, City Faizabad, District Faizabad. (U.P.). Plaintiff No. 9 Proforma Respondent
24. Farooq Ahmad, son of late Sri Zahoor Ahmad, Resident of Mohalla Naugazi Qabar, Ayodhya City, Ayodhya, District Faizabad State of (U.P.). Plaintiff No. 10/1 Proforma Respondent

CIVIL APPEAL U/S. 96 READ WITH SEC. 109 OF THE  
CODE OF CIVIL PROCEDURE READ WITH ARTICLES  
133/134-A/136 OF THE CONSTITUTION OF INDIA

TO,

THE HON'BLE CHIEF JUSTICE OF INDIA  
AND HIS COMPANION JUSTICES OF THE  
HON'BLE SUPREME COURT OF INDIA

THE HUMBLE APPEAL OF THE  
APPELLANT NAMED ABOVE

MOST RESPECTFULLY SHEWETH:

1. That the present Appeal arises out of the Judgment and Preliminary Decree dated 30.9.2010 passed by the Hon'ble High Court of Allahabad, Lucknow Bench Lucknow, by three Hon'ble Judges of Special Full Bench, disposing of O.O.S. No. 4 of 1989 vide their separate judgments (alongwith disposing off O.O.S. No. 1, 3 & 5 of 1989) in terms of the same common judgment). On the same day, the Special Full Bench of the High Court has also passed separate order observing that in their opinion Appeal under section 96, CPC would be maintainable.

(132)  
CA 4739/11  
52

SECTION- III A  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4739 OF 2011 ✓

AMENDED CAUSE TITLE

1. Akhil Bharat Hindu Mahasabha  
Through Kamlesh Tiwari (D) aged about 34 years  
S/o Shri Deoki Nandan Tiwari  
R/o, 26, Kurshedbag Hindu Mahasabha Bhawan  
Lucknow Chairman, High Level Committee

\$ Through Sushree Rajyashree Chaudhuri  
D/o Barun Kumar Chaudhuri aged about 49 years  
R/o P-65, Lake View Road, Kolkata- 400029  
West Bengal

...Appellant

VERSUS

- 1 Bhagwan Sri Ram Lal Virajman  
at Sri Rama Janam Bhumi, Ayodhya also  
Called Bhagwan Sri Rama Lal Virajman, represented  
by next friend Sri Deoki Nandan Agarwal, Senior Advocate/  
Retired High Court Judge, 56 Dilkusha, Allahabad is no more  
and in his place Sri Triloki Nath Pandey, S/o Askrut Pandey  
Karsewapuram, Ayodhya, District- Faizabad is substituted as  
next friend of plaintiff nos. 1 and 2 (proforma)

...Proforma Respondent No. 1

2. Asthan Sri Rama Janam Bhumi, Ayodhya  
represented by next friend Sri Deoki Nandan Agarwal,  
Senior Advocate/Retired High Court Judge, 56 Dilkusha,  
Allahabad is no more and in his place Sri Triloki Nath Pandey,  
aged about 65 years, S/o Askrut Pandey  
Karsewapuram, Ayodhya, District- Faizabad

...Proforma Respondent No. 2

3. Sri Deoki Nandan Agarwal,  
Senior Advocate/Retired High Court Judge, 56 Dilkusha,  
Allahabad is no more and in his place Sri Triloki Nath Pandey,  
aged about 65 years, S/o Askrut Pandey  
Karsewapuram, Ayodhya, District- Faizabad

...Proforma Respondent No. 3

(33)  
CA 4789/11

-2-

4. Sri Rajendra Singh, adult S/o,  
Late Sri Gopal Singh Visharad, at present residing at Gonda  
Care of the State Bank of India, Gonda Branch, Gonda  
...Proforma Respondent No. 4
5. Mahant Suresh Das,  
Chela Late Mahant Ram Chandra Das of Digambar Akhara,  
Ayodhya,  
...Proforma Respondent No. 5
6. Nirmohi Akhara Mohalla Ram Ghat  
Ayodhya, through its President Mahant Jagarnath Das (D)  
Chela of Vaishnav Das Nirmohi R/o, Mohalla Ram Ghat  
Nirmohi Bazaar, Pargana Haveli, Awadh, Ayodhya,  
District- Faizabad
- \*\* Through ~~is~~ Mahant Dinendra Das  
Chela Mahant Bhairo Das Naga, Chela Mahant Raja  
Ram chandracharya; R/o Shri Panch Ramanandi Nirmohi  
Akhara Ram Ghat, Kotwali, Ayodhya, District- Faizabad  
Uttar Pradesh  
...Proforma Respondent No. 6
7. Sunni Central Board of Waqfs,  
U.P. having its office at Moti Lal Bose Road, Lucknow  
Through Motwali  
...Proforma Respondent No. 7
- \*\*8. Sri Mohammed Hasim (D) Through  
Mohammad Iqbal Ansari., S/o  
4/318, Mohalla kotia, Jalwanpur, Pargana Haveli Awadh  
Tehsil Sadar, Ayodhya, District- Faizabad, U.P.  
...Proforma Respondent No. 8
- \*\*9. Sri Mohammed<sup>177</sup> Ahmed.(D) Through  
Dr. Faiz Ahmad, S/o Late Anwar Ahmad  
Grandson of Late Mohd. Ahmad, R/o  
Shifa Dental Clinic, Mohalla Rakabganj. Pargana Haveli  
Awadh, City and District Faizabad, U.P.  
...Proforma Respondent No. 9
10. State of Uttar Pradesh Through  
Secretary, Home Department, Civil Secretariat  
Lucknow  
...Proforma Respondent No. 10

CA 4739/11 (34) 54

-3-

11. The Collector/District Magistrate  
Faizabad ...Proforma Respondent No. 11
12. The City Magistrate, Faizabad ...Proforma Respondent No. 12
13. The Senior Superintendent of Police  
Faizabad ...Proforma Respondent No. 13
14. The President, All India Arya Samaj  
Dewan Hall, Delhi-110006 ...Proforma Respondent No. 14
15. The President, All India Sanatan Dharma Sabha  
Delhi- 110006 ...Proforma Respondent No. 15
16. Sri Dharam Das adult, Chela  
Baba Abhiram Das, R/o Hanuman Garhi, Ayodhya  
...Proforma Respondent No. 16
17. Sri Pundarik Mishra, adult, S/o  
Sri Raj narain Mishra, R/o  
Bhampur Sarai, Rakabganj, Faizabad  
...Proforma Respondent No. 17
- \*18. ~~Sri Ram Dayal Saran, adult, Chela~~  
~~Ram Laxman Saran, r/o Ram Charit Manas Bhawan~~  
~~Mohalla Ram Kot, kot, Ayodhya~~  
...Proforma Respondent No. 18
19. Sri Ramesh Chandra Tripathi, adult  
S/o Sri Parash Ram Tripathi, R/o Village Bhagwan Patti,  
Pargana Minijhaura, Tehsil Akbarpur, District- Faizabad  
...Proforma Respondent No. 19
20. Sri Umesh Chandra Pandey, adult,  
S/o Sri Uma Shankar Pandey, Advocate, R/o Rano Pali  
Ayodhya ...Proforma Respondent No. 20
21. Sri Ram Janam Bhumi Nyas, a trust having  
its office at SankatMochan Ashram, Sri Hanuman  
Mandir, Rama Krishan Puram, Sector- VI, New Delhi  
Through Sri Ashok Singhal, Managing Trustee  
...Proforma Respondent No. 21
22. Shia Central Board of Waqfs,  
U.P. Lucknow, Through Chairman ...Proforma Respondent No. 22

23. Prince Anjum Quder, President  
All India Shia conference, Qaomi Ghar,  
Nadan Mahal road, Lucknow ...Proforma Respondent No. 23
24. All India Shia Conference Through  
Shri S. Mohammed Hasnain Abidi, Honory General Secretary,  
Qaomi Ghar, Nadan Mahal Road, Lucknow ...Proforma Respondent No. 24
- \*\*25. Hafiz Mohammed Siqqiqui (D) Through  
Maulana Rshiduddin (Major)  
Committee of Jummiat Ulama-I-Hind, Subhash Marg,  
Ahata Shaukati Ali, Lucknow, U.P. ...Proforma Respondent No. 25
- \*26. ~~Vakiluddin aged about 55 years~~  
~~S/o Ismail R/o Madarpur, Pargan and Tehsil~~  
~~Tanda, District Faizabad~~ ...Proforma Respondent No. 26

\*Respondent Nos. 18 & 26 are deleted vide order dated 09.11.2019 passed in I.A. No. 12637 of 2019.

\*\* Lr's of Respondent Nos. 6, 8, 9 & 25 have been brought on record vide Hon'ble Court's order dated 09.11.2019 passed in I.A. No. 12631 of 2019.

\$ Legal representative of sole Appellant has been brought on record vide Hon'ble Court's order dated 09.11.2019 passed in I.A. No. 137163 of 2019.

  
ASSISTANT REGISTRAR

CA No. 4739/2011

(36)

2 (1-26)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION.  
ORDER XVI RULE 4 (1)(a)]

A 4739/11

SPECIAL LEAVE PETITION NO. 15152 (CIVIL) OF 2010

(UNDER ARTICLE 136 OF THE CONSTITUTION OF INDIA)

Special Leave Petition arising out of the Final Judgment dated 30<sup>th</sup> September 2010 passed by the High Court of Judicature At Allahabad Lucknow Bench Lucknow in OOS No. 5 of 1989 [RS no.236 of 1989 *m* connected suits no.OOS No.1 of 1989, OOS No.2 of 1989 *m* OOS No.4 of 1989])

WITH

(PRAYER FOR INTERIM RELIEF)

POSITION OF PARTIES  
IN OOS NO.5 OF 1989

IN THE HIGH  
COURT

IN THIS COURT

Akhil Bharat Hindu  
Mahasabha, through Kamlesh  
Tiwari aged about 34 years,  
s/o Shri Deoki Nandan Tiwari,  
r/o 26 Kurshedbag Hindu  
Mahasabha Bhawan,  
Lucknow Chairman, High  
Level Committee.

Defendant No.11 Appellant/  
Petitioner

..... Appellant/ Petitioner

AND

www.vadaprativada.com

SECTION III-A  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
(Under Article 136 of the Constitution of India)

(37)  
CA 4905-4908/11  
57

AMENDED CAUSE TITLE

Civil Appeal Nos. 4905-4908 of 2011 ✓

CIVIL APPEAL NO. 4905 OF 2011 @ OOS NO. 1 OF 1989

Nirmohi Akhara, Ayodhya, Haveli Avadh Ayodhya,  
District, Faizabad (UP); through  
Panch Rajaram Chandracharya, Ayodhya (U.P.)

Nirmohi Akhara, Ayodhya,  
Haveli Oudh District Faizabad (U.P.)  
Through Mahant Bhaskar Das (D) Thr. Lrs.

Nirmohi Akhara through its Mahant  
Mahant Dinendra Das Chela Mahant Bhairo Das Naga  
Chela Mahant raja Ramchandracharya Resident of  
Shri Panch Ramanandi Nirmohi Akhara, Ram Ghat,  
Kotwali Ayodhya, District Faizabad, Uttar Pradesh

...Appellant

Versus

1. Sri Rajendra Singh, Son of  
Late Shri Gopal Singh Visharad  
R/o State Bank of India, Branch Goonda,  
Saragdwara Ayodhya, Pargana Haveli, Avadh  
Tehsil and District Faizabad (U.P.)

...Respondent No. 1

2. Farooq Ahmad son of Zahur Ahmed,  
Resident of Tedi bazar, Ayodhya (U.P.)

...Respondent No. 2

3. State of Uttar Pradesh through  
Principal Secretary, Lucknow (U.P.)

...Respondent No. 3

4. Deputy Commissioner, Faizabad, U.P.

...Respondent No. 4

5. City Magistrate, Faizabad, Uttar Pradesh

...Respondent No. 5

6. Superintendent of Police, Faizabad, UP

...Respondent No. 6

Sunni Central Wakaf Board U.P.,  
Lucknow, Motilal Bose Road, Police  
Station Kesar Bagh, Lucknow,  
Through its Secretary

...Respondent No. 7

..2/-

CA 4905-28/11 37A 58  
CIVIL APPEAL NO. 4906 OF 2011 @ OOS NO. 3 OF 1989

Nirmohi Khara, Ayodhya, Haveli Avadh Ayodhya,  
District, Faizabad (UP), through  
Panch Rajaram Chandracharya, Ayodhya (U.P.)

Nirmohi Akhara, Ayodhya,  
Haveli Oudh District Faizabad (U.P.)  
Through Mahant Bhaskar Das (D) Thr. Lrs.

Nirmohi Akhara through its Mahant  
Mahant Dinendra Das Chela Mahant Bhairo Das Naga  
Chela Mahant raja Ramchandracharya Resident of  
Shri Panch Ramanandi Nirmohi Akhara, Ram Ghat,  
Kotwali Ayodhya, District Faizabad, Uttar Pradesh

...Appellant

Versus

\*\*1. Sri Jamuna Prasad Singh, Resident of Deo Kali Road,  
Faizabad, Uttar Pradesh

...Respondent No. 1

2. State of Uttar Pradesh, through  
Principal Secretary to the  
Government of UP Lucknow UP

...Respondent No. 2

3. Deputy Commissioner, Faizabad UP

...Respondent No. 3

4. City Magistrate, Faizabad, Uttar Pradesh

...Respondent No. 4

5. Superintendent of Police, Faizabad, UP

...Respondent No. 5

6. Haji Mahbood son of Late Haji Phekku,  
Resident of Mohalla Terhi Bazar,  
City Ayodhya Tehsil and District Faizabad UP

...Respondent No. 6

7. Haji Abdul Ahed (Dead) Thr. Lrs.

@@7.1 Rizwan Ahmed  
S/o Late Haji Abdul Ahed,  
R/o 158, Tedi Bazar, Ayodhya,  
Faizabad, U.P.

Lr. No. 1 of Deceased  
Respondent No. 7

@@7.2 Haji Asad Ahmed  
S/o Late Haji Abdul Ahed,  
R/o 158, Tedi Bazar, Ayodhya,  
Faizabad, U.P.

Lr. No. 2 of Deceased  
Respondent No. 7

\*\*8. Mohammad Faiz son of Haji Ramzai,  
Resident of Terhi bazar, City Ayodhya Tehsil  
and District Faizabad UP

...Respondent No. 8

CA 4905-08/11  
(39) 59

Mohammad Aehhan Mian son of not known  
Resident of Mohalla Katgra Ayodhya UP City  
Ayodhya, Pargana Haveli Oudh, Tehsil and  
District Faizabad on behalf of Themselves and  
all other members of Muslim Community

...Respondent No. 9

Sunni Central Wakaf Board U.P.,  
Lucknow, Motilal Bose Road, Police  
Station Kesar Bagh, Lucknow,  
Through it Secretary

...Respondent No. 10

Umesh Chandra Pandey  
son of Shri Ram Shanker Pandey,  
Resident of Rampali, Ayodhya City,  
Pargana Haveli Odh, District Faizabad UP

...Respondent No. 11

Mohd. Farooq son of Zahoor Ahmed,  
Resident of Sugarhat, Faizabad UP

...Respondent No. 12

CIVIL APPEAL NO. 4907 OF 2011 @ OOS NO. 4 OF 1989

Nirmohi Khara, Ayodhya, Haveli Avadh Ayodhya,  
District, Faizabad (UP), through  
Panch Rajaram Chandracharya, Ayodhya (U.P.)

Nirmohi Akhara, Ayodhya,  
Haveli Oudh District Faizabad (U.P.)  
Through Mahant Bhaskar Das (D) Thr. Lrs

Nirmohi Akhara through its Mahant  
Mahant Dinendra Das Chela Mahant Bhairo Das Naga  
Chela Mahant raja Ramchandracharya Resident of  
Shri Panch Ramanandi Nirmohi Akhara, Ram Ghat,  
Kotwali Ayodhya, District Faizabad, Uttar Pradesh

...Appellant

Versus

Sunni Central Wakaf Board U.P.,  
Lucknow, Motilal Bose Road, Police  
Station Kesar Bagh, Lucknow,  
Through it Secretary

...Respondent No. 1

% 2. Mohd. Siddiq alias Mohammad Siddiq (D) Thr. Lrs.  
Maulana Arshad Rshidi S/o Maulana Rshidi-Uddin  
R/o Committee of Jummiat Ulama-I-Hind,  
Uttar Pradesh.

...Respondent No. 2

3. Misbahuddin son of Late Ziauddin,  
Resident of Mohalla Angoori Bagh,  
Pargana Haveli Oudh City,  
Tehsil and District Faizabad UP

...Respondent No. 3

..4/-

-4- CA 4905-08111  
38A

6

- Mohammad Hashim (D) Thr. Lrs.  
Mohammad Iqbal Ansari S/o Late Mohammad Hashim  
aged 48 years, r/o Kutiya Panji Tola City, Ayodhya  
Pargana Haveli Awadh, Distt. Faizabad UP ...Respondent No. 4
5. Maulana Mahfoozur Rahman  
son of Late Maulana Wakiluddin,  
Resident of Village Madarapur,  
Pargana and Tehsil Tanda, District Faizabad UP ...Respondent No. 5
- \$6. Mohamed Ahmed (D) Thr. Lrs.  
Dr. Faiz Ahmad S/o Anwar Ahmad  
Grandson of Mohammad Ahmad Aged 42 years  
r/o Shifa Dental Clinic, Ayodhya Mohalla  
Rekabanj, Pargana-Havelli Awadh, Distt. Faizabad, UP ...Respondent No. 6
7. Farooq Ahmad son of Late Zahoor Ahmad,  
Resident of Mohalla Naugazi Gabar, Ayodhya,  
District Faizabad UP ...Respondent No. 7
8. Mahant Suresh Das son of Late Param hans Ram  
Chandra Das, Resident of Digamber Akhara,  
District Faizabad UP ...Respondent No. 8
9. State of Uttar Pradesh, through  
Principal Secretary, Lucknow, UP ...Respondent No. 9
10. The Collector, Faizabad UP ...Respondent No. 10
11. City Magistrate, Faizabad, Uttar Pradesh ...Respondent No. 11
12. Superintendent of Police, Faizabad, UP ...Respondent No. 12
- #13. ~~B. Priya Dutt, son of R.B. Babu,  
Kamlapat Ram, Resident of Rakabganj,  
Faizabad, Uttar Pradesh~~ ...Respondent No. 13
14. President, All India Hindu Maha Sabha,  
Read Road, New Delhi ...Respondent No. 14
15. President, Mahapradeshik Arya Sabha,  
Baldan Bhawan, Sharadhanand Bazar, Delhi ...Respondent No. 15
16. President, All India Sanatan Dharma Sabha, Delhi ...Respondent No. 16
17. Dharam Das Chela Baba Abheram Das,  
Resident of Hanuman Garhi, Ayodhya, UP ...Respondent No. 17
18. Pundrik Misra son of Raj Narain Misra,  
Resident of Balrampur Sarai Rakabganj,  
Faizabad UP ...Respondent No. 18
- #19. ~~Ram Dayal Saran, Chela late Ram Laxman Saran,  
Resident of Town Ayodhya, District, Faizabad UP~~ ...Respondent No. 19

41-4905-08/11/61  
 (39)

Ramesh Chandra Tripathi son of Parash Ram  
 Tripathi, Resident of Village Bhagwan Patli  
 Pargana Muighaura, Tehsil Akbarpur,  
 District Faizabad UP

...Respondent No. 20

21. Mahant Ganga Das Chela of Mahant Sarju Das,  
 Resident of Mandir Ladley Prasad, City Ayodhya,  
 Faizabad UP

...Respondent No. 21

22. Shri Swami Govindacharya Manas Martand Putra,  
 Balbhadar Unt Jhalloo, Resident of House No. 735,  
 736, 737, Katra Ayodhya, Pargana Haveli Oudh,  
 Tehsil and District Faizabad UP

...Respondent No. 22

23. Madan Mohan Gupta, Convenor of Akhil Bhartiya  
 Sri Ram Janam Bhumi Punarudhar Samiti,  
 Resident of E-7/45, Banglow T.T. Nagar, Bhopal (MP)

...Respondent No. 23

24. Prince Anjum Qadar, President, All India Shia  
 Conference, Registered Qaumi Ghar, Nandan Mahal  
 Road, P.S. Chowk, Lucknow, UP

...Respondent No. 24

25. Umesh Chandra Pandey son of Shri R. S. Pandey,  
 Resident of Renupali, Ayodhya, District Faizabad UP

...Respondent No. 25

26. Mahant Raghunath Das, Chela Mahant Dharam Das,  
 Mahant and Sabrakar, Nirmohi Akhara, Mohalla  
 Ram Ghat, City Ayodhya, District Faizabad UP

...Respondent No. 26.

**CIVIL APPEAL NO. 4908 OF 2011 @ OOS NO. 5 OF 1989**

Nirmohi Khara, Ayodhya, Haveli Avadh Ayodhya,  
 District, Faizabad (UP), through  
 Panch Rajaram Chandracharya, Ayodhya (U.P.)

Nirmohi Akhara, Ayodhya,  
 Haveli Oudh District Faizabad (U.P.)  
 Through Mahant Bhaskar Das (D) Thr. Lrs.

Nirmohi Akhara through its Mahant  
 Mahant Dinendra Das Chela Mahant Bhairo Das Naga  
 Chela Mahant raja Ramchandracharya Resident of  
 Shri Panch Ramanandi Nirmohi Akhara, Ram Ghat,  
 Kotwali Ayodhya, District Faizabad, Uttar Pradesh

...Appellant

Versus

Shri Triloki Nath Pandey son of late Shri Askrit Pandey,  
 Resident of Karsewakpuram, Ayodhya, District  
 Faizabad UP

...Respondent No. 1

..6/-

CA 4908-06/11 29 A

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2. Shri Rajendra Singh Son of Late Shri Gopal Singh Visharad, Resident of Gonda, C/o State Bank of India, Gonda Branch, Gonda, UP ...Respondent No. 2
3. Mahant Suresh Das, Chela Late Param Hans Ram Chandra Das of Digambar Akhara, Ayodhya District Faizabad UP ...Respondent No. 3
4. Sunni Central Wakaf Board U.P., Lucknow, Motilal Bose Road, Police Station Kesar Bagh, Lucknow, Through it Secretary ...Respondent No. 4
- \$55. Mohammad Hashim (D) Thr. Lrs. Mohammad Iqbal Ansari S/o Late Mohammad Hashim aged 48 years, r/o Kutiya Panji Tola City, Ayodhya Pargana Haveli Awadh, Distt. Faizabad, UP ...Respondent No. 5
- \$56. Mohamed Ahmed (D) Thr. Lrs. Dr. Faiz Ahmad S/o Anwar Ahmad Grandson of Mohammad Ahmad Aged 42 years R/o Shifa Dental Clinic, Ayodhya Mohalla Rekabanji, Pargana-Havelli Awadh, Distt. Faizabad, UP ...Respondent No. 6
7. State of Uttar Pradesh Through Principal Secretary, Lucknow UP ...Respondent No. 7
8. The Collector, Faizabad UP ...Respondent No. 8
9. City Magistrate, Faizabad, Uttar Pradesh ...Respondent No. 9
10. Superintendent of Police, Faizabad, UP ...Respondent No. 10
11. President, All India Hindu Maha Sabha, Read Road, New Delhi ...Respondent No. 11
12. The President, All India Arya Samaj, Dewan Hall, Delhi ...Respondent No. 12
13. The President, All India Sanatan Dharam Sabha, Delhi ...Respondent No. 13
14. Shri Dharam Das, Chela Baba Abhiram Das, Resident Hanuman Garhi, Ayodhya, UP ...Respondent No. 14
15. Shri Pundarik Misra son of Shri Raj Narain Misra, Resident of Bahampur Sarai, Rakabganj, Faizabad UP ...Respondent No. 15
16. Ramesh Chandra Tripathi, Son of Shri Prakash Ram Tripathi, Resident of Village Bhagwan Patti, Pargana Minjhara, Tehsil Akbarpur, District Faizabad UP ...Respondent No. 16

17. Shri Umesh Chandra Pandey, son of Uma Shanker Pandey, Advocate Resident of Ranopali Ayodhya, UP ...Respondent No. 17
18. Ram Janam Bhumi Nyas A Trust having its office at Sankat Mochan Ashram, Shri Hanuman Mandir Rama Krishan Puram, Sector VI New Delhi, through Shri Ashok Singhal (D) Thr. Mr. Champat Rai, Trustee ...Respondent No. 18
19. Shia Central Board of Waqfs, UP Lucknow UP ...Respondent No. 19
20. Hafiz Mohammad Siddiqui (Dead) Thr. Lrs. Maulana Arshad Rshidi S/o Maulana Rshidi-Uddin R/o Committee of Jummiat Ulama-I-Hind, Uttar Pradesh. ...Respondent No. 20
21. Vakeeluddin (Dead) Thr. Lrs. Maulana Mehfooz Rehman S/o Vakeeluddin Aged 60 years R/o Madarpur Pargana and Tehsil Tanda District Faizabad (Uttar Pradesh) ...Respondent No. 21
22. Bhagwan Shri Ram Virajman at Sri Ram Janam Bhumi, Ayodhya also called Bhagwan Shri Ram Lala Virajman, represented by alleged next friend Shri Triloki Nath Pandey son of late Shri Askrit Pandey, Resident of Karsewakpuram, Ayodhya, District Faizabad UP ...Respondent No. 22
23. Asthan Shri Ram Janma Bhumi, Ayodhya, represented by alleged next friend, Shri Triloki Nath Pandey Son of Late Shri Ashkrut Pandey, Resident of Karsewakpuram, Ayodhya, District Faizabad UP ...Respondent No. 23.
24. ~~Shri Ram Dayal Saran, Chela Ram Laxhan Saran, Resident of Ram Charit Manas Bhawan, Mohalla Ram Kot, Ayodhya, UP~~ ...Respondent No. 24

Appellant has been substituted vide Hon'ble Court's order dated 11.08.2017 (defective I.A. D. No. 32022/2012)

\*\* Respondent Nos. 1, 8 and 9 in Civil Appeal No. 4906/2011 @ OOS No. 3/1989 have been deleted vide Hon'ble Court's order dated 11.08.2017 (defective I.A. D. No. 55088/2012)

# Respondent Nos. 13, 19 and 21 in Civil Appeal No. 4907/2011 @ OOS No. 4/1989 have been deleted vide Hon'ble Court's order dated 11.08.2017. (defective IA D No. 55088).

# Respondent No. 24 in Civil Appeal No. 4908/2011 has been deleted vide Hon'ble Court's Order dated 11.08.2017. (Defective IA D. No. 55088)

SD/-24.10.2017  
ASSISTANT REGISTRAR

..8/-

CA 4905-06111 40A 64

@ Respondent No. 26 in Civil Appeal No. 4907/2011 has been deleted vide Hon'ble Judge in Chamber order dated 06.11.2017 passed in IA No. 78965/2017.

\$\* Appellant has been substituted vide Hon'ble Judge-in-chamber order dated 06.11.2017 passed in IA No. 10811/2017 and 108114/2017.

SD/-13.11.2017  
ASSISTANT REGISTRAR

\$\$ Lrs. of deceased Respondent 4 and 5 in CA No. 4907 and 4908/2011 and Respondent No. 6 in CA Nos. 4907 and 4908/2011 and Respondent No. 18 in CA No. 4908/2011 have been brought on record vide Hon'ble Court's order dated 29.1.2018 passed in I.A. Nos. 122477, 125411, 125415, 129282, 128124 and 131062 of 2017.

SD/- ON 6.2.2018  
ASSISTANT REGISTRAR

% Lrs. of deceased Respondent No. 2 in Civil Appeal No. 4907 of 2011 and Respondent Nos. 20 and 21 in Civil Appeal No. 4908 of 2011 have been brought on record vide Hon'ble Court order dated 8.2.2018 in I.A. No. 130709 of 2017.

% Respondent No. 22 in Civil Appeal No. 4907 of 2011 is deleted from array of parties vide Hon'ble Court's order dated 8.2.2018 in I.A. No. 130709 of 2017.

SD/- ON 20.02.2018  
ASSISTANT REGISTRAR

@@ Lrs. of deceased Respondent No. 7 in Civil Appeal No. 4906 of 2011 are brought on record vide Hon'ble Court's Order dated 09.11.2019 in I.A. Nos. 85006, 85007 and 92315 of 2019.

AP  
ASSISTANT REGISTRAR

- CA 4905-4908/11  
7  
65
22. Bhagwan Shri Ram Virajman at Sri Plaintiff (41) Proforma  
Ram Janam Bhumi, Ayodhya Also No. 1 Respondent  
called Bhagwan Sri Ram Lala No. 1  
Virajman, represented by alleged  
next friend Shri Triloki Nath Pandey  
son of late Shri Askrit Pandey,  
resident of Karsewakpuram,  
Ayodhya, District Faizabad U.P.
23. Asthan Shri Ram Janma Bhumi, Plaintiff Proforma  
Ayodhya, represented by alleged No. 2 Respondent  
next Friend, Shri Triloki Nath No. 2  
Pandey, Son of late Shri Ashkrut  
Pandey, Resident of  
Karsewakpuram, Ayodhya, District  
Faizabad U.P.
24. Shri Ram Dayal Saran, Chela Ram, Defendant Proforma  
Lakhan Saran, resident of Ram No. 16 Respondent  
Charit Manas Bhawan, Mohalla  
Ram Kot, Ayodhya U.P. No. 3

To

Hon'ble the Chief Justice of India  
And His Companion Judges of the  
Supreme Court of India at New Delhi.

The humble petition of the  
Petitioner abovenamed.

**MOST RESPECTFULLY SHEWETH:**

1. That the petitioners above named respectfully submit this petition seeking special leave to appeal against the final judgment and order dated 30<sup>th</sup> September, 2010 of the Allahabad High Court, Bench at Lucknow, whereby the High Court has disposed of the Original Suit No.1 of 1989 (Regular Suit No.2 of 1950), Original Suit No.3 of 1989 (Regular Suit No.26 of 1989, Original Suit No.4 of 1989 (Regular Suit No.12 of 1961) and Original Suit No.5 of 1989 (Regular Suit No.236 of 1989 filed by the Petitioners and Respondents.
- 1A That Defendant No. 2 in OOS No. 5 before the Hon'ble High Court - Mahant Paramhans Ramchandradas had died and his representative was brought on record as Defendant No. 2/1. However in the memo of parties the said fact of death of deceased Defendant No. 2 is not recorded. It is submitted that since his representative is already on record and has been made a party, original defendant No. 2 has been deleted from the array of parties.

(66)  
(49)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
(Under Article 136 of the Constitution of India)

AMENDED CAUSE TITLE

CIVIL APPEAL NO. 2215 of 2011 ✓

Arising out of final judgment/ order dated 30.09.2010 passed by the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow in Original Suit (O.O.S) No. 4 of 1989.

Misbahuddeen  
aged about 41 years,  
S/o late Ziauddin,  
Resident of Mohalla Angoori Bagh,  
Faizabad City, Uttar Pradesh

Appellant

Versus

Mahant Suresh Das  
Chela Sri Param Hans Ram Chander Das  
Resident of Digambar Akhara,  
Ajodhia City, District Faizabad, Uttar Pradesh

Respondent No. 1

2. Nirmohi Akhara  
Situating in Mohalla Ram Ghat,  
City Ajodhiya, District Faizabad  
through Mahant Rameshwar Das (Dead)  
\*\* Through its present Mahant Bhaskar Das (Dead)

@ Through its present Mahant Dinendra Das  
R/o Mohalla Ram Ghat, Ayodhya, District Faizabad,  
Uttar Pradesh

Respondent No. 2/1

\*3. ~~Mahant Raghunath Das~~  
~~Chela Mahant Dharam Das Mahant~~  
~~and Sarbarakar Nirmohi Akhara,~~  
~~Mohalla Ram Ghat, City Ajodhiya,~~  
~~District Faizabad, Uttar Pradesh~~

Respondent No. 3

4. The State of Uttar Pradesh  
through Chief Secretary to the State Government,  
Uttar Pradesh

Respondent No. 4

5. The Collector,  
Faizabad, Uttar Pradesh

Respondent No. 5

P/...2

CA 226/11 27  
(43)

6. The City Magistrate,  
Faizabad, Uttar Pradesh  
Respondent No. 6
7. The Superintendent of Police,  
Faizabad, Uttar Pradesh  
Respondent No. 7
- \*8. ~~B. Priya Dutt~~  
~~S/o R.B. Babu Kamlapat Ram~~  
~~R/o Rakabganj, Faizabad,~~  
~~Uttar Pradesh~~  
Respondent No. 8
9. President,  
All India Hindu Maha Sabha,  
Read Road, New Delhi  
Respondent No. 9
10. President, Arya Maha Pradeshik Sabha  
Baldan Bhawan, Shradhanand Bazar,  
Delhi  
Respondent No. 10
11. President,  
All India Sanatan Dharam Sabha  
Shop No. 35, Geeta Bhawan,  
Ground Floor, A Block, Kirti Nagar,  
Delhi  
Respondent No. 11
12. Dharam Das  
Alleged Chela Baba Abhiram Das,  
Resident of Hanuman Garhi,  
Ayodhya, Faizabad,  
Uttar Pradesh  
Respondent No. 12
13. Sri Pundrik Misra,  
Son of Raj Narain Misra,  
Resident of Balrampur Sarai,  
Rakabganj, Faizabad,  
Uttar Pradesh  
Respondent No. 13

P/...3

A 2215/11 68.

-3-

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#14. Sri Ram Dayal Saren,  
Chela of late Ram Laxhan Saren,  
R/o Town Ayodhya,  
District Faizabad,  
Uttar Pradesh

Respondent No. 14

15. Ramesh Chandra Tripathi,  
aged about 73 years,  
son of Sri Parsh Rama Tripathi,  
R/o Village Bhagwan Patti,  
Pargana Mijhaura, Tahsil Akbarpur,  
District Ambedkar Nagar, Uttar Pradesh

Respondent No. 15

#16. Mahant Ganga Das,  
Chela of Mahant Sarju Dass,  
R/o Mandir Ladle Prasad,  
City Ayodhya, Faizabad, Uttar Pradesh

Respondent No. 16

#17. Shri Swami Govindaacharya,  
Manas Martand Putra Balbhadar Urf Jhallu,  
R/o Makan No. 735, 736, 737,  
Katra Ayodhya, Pargana Haveli, Audh,  
Tahsil and District Faizabad, Uttar Pradesh

Respondent No. 17

18. Madan Mohan Gupta,  
Convener of Akhil Bhartiya Sri Ram Janam  
Bhoomi Punarudhar Samiti,  
E-7/45, Bangla T.T. Nagar,  
Bhopal, Uttar Pradesh

Respondent No. 18

19. President,  
All India Shia Conference  
Resident, Qaumi Ghar,  
Nadan Mahal Road,  
F.S. Chowk, Lucknow, Uttar Pradesh

Respondent No. 19

20. Umesh Chandra Pandey,  
S/o Sri R.S. Pandey,  
Resident of Ranupalli,  
Ayodhya, District Faizabad,  
Uttar Pradesh

Respondent No. 20

P/...4

CA 221544 69  
45

4.

The Sunni Central Board of Waqfs U.P. Lucknow  
now known as UP Sunni Central Waqf Board,  
through its Chief Executive Officer,  
3-A Mall Avenue, Lucknow Uttar Pradesh

Respondent No. 21

Mohd. Siddiq alias Hafiz Mohd. Siddiq,  
S/o late Haji Mohd. Ibrahim,  
Resident of Lalbagh, Moradabad,  
General Secretary, Jamiatul, Ulema Hind,  
Uttar Pradesh Jamiat Building,  
B.N. Verma Road (Katchechry Road),  
Lucknow, Uttar Pradesh

Respondent No. 22

23 Ziauddin,  
aged about 46 years,  
S/o Haji Shahabuddin (deceased)  
R/o Mohalla Angoori Bagh,  
Pargana Haveli Oudh,  
City and District Faizabad,  
Uttar Pradesh

Respondent No. 23

24. Mohammad Hashim (Dead) Thr. Lrs.

\*\*\* Mohammad Iqbal Ansari,  
S/o Mohammad Hashim  
4/318, Kotia, Ayodhya,  
District-Faizabad, U.P.

Respondent No. 24/1

25. Maulana Mahfoozurrahman  
S/o late Maulana Vakiluddin,  
Resident of Village Madarpur,  
Pergana and Tahsil Tanda,  
District Ambedkarnagar,  
(Old District Faizabad) Uttar Pradesh

Respondent No. 25

#26. Mahmud Ahmad  
Aged about 30 years  
S/o Ghulam Hasan,  
R/o Mohalla Rakabganj,  
City Faizabad, Uttar Pradesh

Respondent No. 26

P/...5

CA 2215/11

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20

27. Farooq Ahmad  
S/o late Sri Zahoor Ahmad,  
Resident of Mohalla Naugazi Qabar,  
Ayodhya City, Ayodhya,  
District Faizabad, Uttar Pradesh

Respondent No. 27

\* Respondent Nos. 3 and 8 have been deleted from array of parties vide Hon'ble Court's order dated 11.08.2017 passed in I.A. No.3.

\*\* Lrs. of deceased Respondent No. 2 has been brought on record vide Hon'ble Court's order dated 11.8.2017 (IA No. 91863 and 91864 registered later).

\*\*\* Lrs. of deceased respondent No. 24 has been brought on record vide Hon'ble Court's order dated 11.08.2017 (IA No. 91865 and 91866 registered later).

SD/- ON 12-10-2017  
ASSISTANT REGISTRAR

# Respondent Nos. 14, 16, 17, 23 and 26 have been deleted from array of parties vide Hon'ble Judge in Chambers 29.1.2018 Order dated passed in I.A. Nos. 125258 of 2017.

SD/- ON 5.2.2018  
ASSISTANT REGISTRAR

@ Lrs. of deceased Respondent No. 2 has been brought on record vide Hon'ble Court's order dated 14.3.2018 passed in IA No. 31897, 31898 and 31899 of 2018.

ASSISTANT REGISTRAR

16/3/18

CA 2215/11 8556 21  
48  
MOST RESPECTFULLY SHOWETH: -

1. This is a Civil Appeal under Section 96 of the Code of Civil Procedure, 1908 (hereinafter referred to as "CPC") read with Section 109 CPC and also read with Articles 133/ 134A/136 of the Constitution of India against the impugned judgment, order and preliminary decree dated 30.09.2010 passed by the three Judges Special Bench of the Hon'ble High Court of Allahabad, Lucknow Bench, Lucknow rendered in O.O.S. No.4 of 1989 and other connected suits vide their separate judgments. In this respect, the Special bench of the Hon'ble High Court has passed a separate order on the same date observing that in the opinion of the Hon'ble Judges of the High Court an appeal is maintainable in this Hon'ble Court under Section 96 of Civil Procedure Code, 1908.

2. That the brief facts leading to the filing of the present Appeal are set out as under:-

- i. That during the rule of Emperor Babar in the year 1528 the Babri Mosque was constructed where the Muslim community started offering prayers. These prayers continued uninterrupted in the Mosque from 1528 untill 22 December 1949.
- ii. That in the year 1857 the courtyard of the Mosque was divided and an inner and the outer courtyard was created, separated by a wall made of bricks and an iron grill. From on or around 1857, a Chabutra admeasuring 17 x 21 ft, was set out in the outer courtyard of the Mosque (the "Chabutra").
- iii. That in January 1885 an Original Suit No. 61/280 of 1885 was filed by Mahant Raghubar Dass (claiming to be the Mahant of Janamsthan), against the Secretary of State for India in Council,

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
(Under Article 136 of the Constitution of India)

**AMENDED CAUSE TITLE**

**CIVIL APPEAL NO. 4740 OF 2011**

Shri Gopal Singh Visharad  
Survived by Sri Rajendra Singh,  
Presently residing at Gonda,  
care of the State Bank of India, Gonda  
Branch Gonda, Uttar Pradesh

Appellant

Versus

1. Farooq Ahmad,  
R/o Mohalla Tehri Bazar-Dead  
City Ayodhya, Pargana Haveli Avadh  
Tehsil VA Zila Faizabad, Shahar Ayodhya,  
Uttar Pradesh Respondent No. 1
2. State of Uttar Pradesh,  
through the Secretary, Home  
Department, Civil Secretariat, Lucknow Respondent No. 2
3. The Deputy Commissioner,  
Faizabad, Uttar Pradesh Respondent No. 3
4. The City Magistrate,  
Faizabad, Uttar Pradesh Respondent No. 4
5. The Superintendent of Police  
Faizabad, Uttar Pradesh Respondent No. 5
6. Sunni Central Board of Waqfs UP  
having its office at Moti Lal  
Bose Road, Lucknow, Uttar Pradesh  
through its muttawali Respondent No. 6
- \*7. Nirmohi Akhara Mohalla Ram Ghat,  
Ayodhya, through its present  
Mahant Ram Kewal Das (D) Thr.  
Mahant Dinendra Das  
Chela Mahant Bhairo Das Naga Chela Mahant  
Rajaramachandracharya, Resident of Shri Panch  
Ramanandi Nirmohi Akhara, Ram Ghat Kotwali Ayodhya  
District Faizabad, Uttar Pradesh Respondent No. 7

\* Lrs. of deceased Respondent No. 7 brought on record vide Hon'ble Chamber Judge  
Order dated 29.1.2018 passed in I.A. Nos. 10744, 10743, 10745 of 2018.

  
**ASSISTANT REGISTRAR**

CA 4740/11

(49)

73  
2

CIVIL APPEAL UNDER SECTION 96 OF THE C.P.C. 1908,  
READ WITH ARTICLE 136(1) OF THE CONSTITUTION OF  
INDIA AGAINST THE IMPUGNED FINAL JUDGMENT AND  
ORDER DATED 30.9.2010 PASSED BY THE HON'BLE HIGH  
COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW BENCH  
LUCKNOW IN O.O.S. NO.1 OF 1989 (REGULAR SUIT  
NO.2/1950).

TO  
THE HON'BLE CHIEF JUSTICE OF INDIA  
AND HIS COMPANION JUSTICES OF THE  
HON'BLE SUPREME COURT OF INDIA

The humble Appeal of the  
Appellant abovenamed.

**MOST RESPECTFULLY SHOWETH:**

1. That the Appellant is preferring the present Civil Appeal against the impugned final judgment and order dated 30.9.2010 passed by the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench Lucknow in O.O.S. No.1 of 1989 (Regular Suit No.2 of 1950) whereby the suit of the petitioner was partly dismissed by Hon'ble Mr. Justice S.U. Khan and Hon'ble Mr. Justice Sudhir Agarwal and dismissed by Hon'ble Mr. Justice D.V. Sharma.

2. That the brief facts of the case are as under:-

(i) The place (as described by the petitioners in the plaint of OS No. 5 of 1989) is the place which according to the tradition, the belief and the faith of Hindus is considered and worshipped as Ram Janama Bhumi. The entire place as such is elevated to the status of 'Deity', which is akin to 'Divinity' and therefore, the said 'deity' can-not be divided. It is submitted that the belief is constant, uninterrupted since time immemorial. It is submitted that such belief is also supported by various religious books, Government Gazetteers, travelers' accounts and other evidences, which are on record.

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
(Under Article 136 of the Constitution of India)

**AMENDED CAUSE TITLE**

**CIVIL APPEAL NO. 2894 OF 2011** ✓

(Appeal arising out of final impugned Judgment and Order dated 30<sup>th</sup> September, 2010 of the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow in O.O.S No. 4 of 1989 (alongwith disposing off O.O.S No. 1,3 & 5 of 1989).

Mohammad Hashim (D) Thr. Lrs.

Appellant

## Mohammad Iqbal Ansar  
S/o Mohammad Hashim  
4/318, Kotia, Ayodhya,  
District -Faizabad, UP

Versus

1. Mahant Suresh Das Chela Sri Param Hans  
Ram Chander Das, resident of Digambar Akhara,  
Ajodhia City, District Faizabad (UP) Respondent No. 1
- \$2. Nirmohi Akhara,  
through Mahant Rameshwar Das (Dead)  
Through Present Mahant Dinendra Das  
R/O Mohalla Ram Ghat, Ayodhya,  
District Faizabad, U.P. Respondent No. 2
- \*\*\*3. Mahant Raghunath Das Chela Mahant Dharm Das  
and Sarbarakar Nirmohi Akhara Mohalla Ram Ghat,  
City Ajodhiya, Dist. Faizabad (UP) Respondent No. 3
4. The State of Uttar Pradesh  
through Chief Secretary,  
to the State Government, (U.P) Respondent No. 4
5. The Collector, Faizabad Collectrate  
Compound, Faizabad, (UP) Respondent No. 5
6. The City Magistrate, Faizabad Collectrate  
Compound, Faizabad, (UP) Respondent No. 6
7. The Superintendent of Police,  
S.P. Office Faizabad, Dist. Faizabad (UP) Respondent No. 7
- \*\*8. B. Priya Dutt S/o R.B. Babu Kamlapat Ram,  
R/o Rakabganj, Faizabad, Dist. Faizabad (UP) Respondent No. 8
9. President, All India Hindu Maha Sabha,  
(Pradeshik Sabha), Read Road, New Delhi Respondent No. 9
10. President Arya Maha Samaj (Dewan Hall)  
Baldan Bhawan, Shradhananad Bazar, Delhi Respondent No. 10

1. President, All India Sanatan Dharam Sabha,  
Dhaura Kuan, New Delhi

Respondent No. 11

2. Dharam Das alleged Chela Baba Abhiram Das,  
Resident of Hanuman Garhi, Ayodhya,  
Faizabad (UP)

Respondent No. 12

13. Sri Pundrik Misra, Son of Raj Narain Misra,  
Resident of Balrampur Sarai, Rakabganj,  
Faizabad

Respondent No. 13

\*\*\*14. ~~Sri Ram Dayal Saran, Chela of late Ram  
Lakhan Saran, resident of town Ayodhya,  
District Faizabad (UP)~~

Respondent No. 14

15. Ramesh Chandra Tripathi, aged about 73  
years, son of Sri Parsh Rama Tripathi,  
Resident of village Bhagwan Patti, Pargana  
Mijhaura, Tahsil Akbarpur, District Ambedkar  
Nagar (UP)

Respondent No. 15

\*\*\*16. ~~Mahant Ganga Das, (Chela of Mahant Sarju Das),  
resident of Mandir Ladle Prasad, City Ayodhya,  
Faizabad (UP)~~

Respondent No. 16

17. Shri Swami Govindacharya, Manas Martand Putra  
Balbhadar Urf Jhallu, Resident of Makan No.  
735, 736, 737, Katra Ayodhya, Pergana Haveli Audh,  
Tahsil and District Faizabad (UP)

Respondent No. 17

18. Madan Mohan Gupta, convener of Akhil Bhartiya  
Sri Ram Janam Bhoomi Punarudhar Samti, E-  
7/45, Bangla T.T. Nagar, Bhopal (M.P)

Respondent No. 18

19. Umesh Chandra Pandey, son of Sri R.S. Pandey,  
Resident of Ranupalli, Ayodhya,  
District Faizabad (UP)

Respondent No. 19

20. U.P. Sunni Central Waqf Board,  
3-A, Mall Avenue, Lucknow (U.P)  
through its Chief Executive Officer.

Respondent No. 20

21. Misbahuddin, son of Late Ziauddin,  
Resident of Mohalla Angoori Bagh,  
Faizabad City, Faizabad (UP)

Respondent No. 21

\$22. Mohd. Siddiq alias Hafiz Mohd. Siddiq  
(Dead) Through

Maulana Ashhad Rshidi  
S/o Maulana Rishid Uddin  
R/o Committee of Jammiat Ulema-i-hind  
(Uttar Pradesh), Subhash Marg, Ahata,  
Shuakti Ali, Rakab Ganj, Lucknow, U.P.  
Also R/o Madasa Shahi, Shahi Masjid,  
Mand Chown, Moradabad, U.P.

Respondent No. 22

..3/-

3. Maulana Mahfoozur Rahman S/o Maulana Wakiluddin,  
Resident of Village Madarpur,  
Pergana & Tehsil Tanda, District Faizabad (UP) Respondent No. 23
24. Mahmud/Ahmad (D) thr. Lrs.
- \*24A. Mr. Maulana Mufti Hasbullah  
alias Badshah Saheb, aged about 50  
years son of late Maulana Faizullah,  
R/o 101, Madani Manzil Mughalpura,  
Faizabad (UP) Respondent No. 24 A
- \*24B. Mr. Anwar Ahmad (D) Thr. Lrs. ,  
Aged about 60 years,  
Son of late Mahmud Ahmad,  
R/o Rakab Ganj,  
Faizabad (UP)
- # 24 B (1) Mr. Faiz Ahmad,  
Aged about 31 years,  
S/o Late Anwar Ahmad, ..  
R/o Mohalla Rakab Ganj, Faizabad City,  
Dist. Faizabad, U.P. Respondent No. 24 B
25. Farooq Ahmad, son of late Sri Zahoor Ahmad,  
Resident of Mohalla Naugazi Qabar,  
Ayodhya City, Ayodhya, District Faizabad,  
State of (UP) Respondent No. 25

\* Lrs. of deceased Respondent No. 24 brought on record vide Hon'ble Court's order dated 11.8.2017 passed in I.A. No.2.

\*\* Respondent No. 8 have been deleted from array of the parties vide Hon'ble Court's order dated 11.8.2017 passed in I.A. No. 2.

\*\*\* Respondent No. 3, 14, 16 have been deleted from array of the parties vide Hon'ble Court's order dated 11.8.2017 passed in I.A. No. 6 (two separate applications ).

# Lrs. of deceased Respondent No. 24 B brought on record vide Hon'ble Court's order dated 11.8.2017 passed in I.A. Nos. 7 and 8.

sd/- 22.9.2017

**ASSISTANT REGISTRAR**

## Lrs. of deceased Appellant brought on record vide Hon'ble Court's order dated 11.8.2017 and Registrar Court's order dated 11.10.2017 passed in I.A. No.58012 of 2016.

sd/- 13.11.2017

**ASSISTANT REGISTRAR**

\$ Lrs. of deceased Respondent Nos. 2 and 22 brought on record vide Hon'ble Court's order dated 14.03.2018 passed in I.A. Nos. 32408, 32410 and 32411 of 2018.

**ASSISTANT REGISTRAR**

CA 2894/11 (53) 8537 77

**CIVIL APPEAL U/S 96 OF THE CODE OF CIVIL  
PROCEDURE READ WITH SECTION 109 C.P.C.  
AND ARTICLES 133 / 134-A/136 OF THE  
CONSTITUTION OF INDIA**

To

The Hon'ble Chief Justice of India  
And His Companion Justices of the  
Hon'ble Supreme Court of India.

The humble appeal of the Appellant named above

MOST RESPECTFULLY SHEWETH

- 1 That the present Appeal arises out of the Judgment and Preliminary Decree dated 30.9.2010 passed by the Hon'ble High Court of Allahabad, Lucknow Bench Lucknow, by three Hon'ble Judges of Special Full Bench, disposing of O.O.S. No. 4 of 1989 vide their separate judgments (alongwith O.O.S. No. 1, 3 & 5 of 1989) in terms of the same common judgment. On the same day, the Special Full Bench of the High Court has also passed separate order observing that in their opinion Appeal under section 96, CPC would be maintainable.

It is material to state that the said special Bench of the High Court has carried out corrections in the judgment vide order dated 10/12/2010, and the said corrections have been carried by the office of the High Court in the certified copies of the judgements issued to the appellant's counsel.

The findings of the three Hon'ble Judges, which are against the appellant, are being challenged and the Grounds of Appeal are set out herein below.

- (a) Copy of the Impugned Judgment dated 30.09.2010 passed by Mr. Justice S.U. Khan, disposing of the aforesaid suits, is being filed in **Volume-I**, at pages 1 to 285.

SECTION III-A  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

AMENDED CAUSE TITLE

Civil Appeal No. 6965 of 2011 ✓  
(WITH PRAYER FOR INTERIM RELIEF)

1. Convener of Akhil Bhartiya  
Sri Ram Janam Bhoomi  
Punarudhar Samti, E-7/45,  
Bangla T.T. Nagar, Bhopal

...Appellant

VERSUS

1. Sri Rajendra Singh, adult,  
S/o Late Sri Gopal Singh  
Visharad, at present residing  
at Gonda, care of State bank of India  
Gonda branch, Gonda.

...Respondent No. 1

2. Param Hans Mahantram  
Chandra Das of Digambar Akhara,  
Ayodhya, Expired on 31.07.03  
through

- 2.1 Mahant Suresh Das, aged about 55 yrs,  
Chela Late Param Hans Ram Chandra  
Das of Digambar Akhara.  
(Amended vide Court's Order 21.01.2004)

...Respondent No. 2

3. Nirmohi Akhara, Mahalla Ram Ghat,  
Ayodhya, through its present Mahant  
Jagan Nath Das (Dead) through Lrs.

- \*3.1 Its present Mahant Dinendra Das,  
Chela Mahant Bhairi Das Naga Chela  
Mahant Raja Ramachandraracharya,  
Resident of Shri Panch Ramanandi,  
Nirmohi Akhara, Ram Ghat,  
Kotwali Ayodhya, District Faizabad,  
Uttar Pradesh

...Respondent No. 3

4. Sunni Central Board of Waqfs,  
U.P., having its office at Moti Lal  
Bose Road, Lucknow  
Through its Chairman

...Respondent No. 4

..2/-

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(55)

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5. Sri Mohammad Hashim (Dead)  
Through Lrs.

\*5.1 Mohammad Iqbal Ansari,  
S/o Late Mohammad Hashim,  
4/318, Mohalla Kotia, Jalwanpur,  
Pargana Haveli Awadh, Tehsil Sadar,  
Ayodhya District Faizabad  
(Uttar Pradesh)

...Respondent No. 5

6. Sri Mahmud Ahmed (Dead)  
Through Lrs.

\*6.1 Dr. Faiz Ahmad,  
S/o Late Anwar Ahmad  
Grandson of Late Mohd. Ahmad,  
R/o Shifa Dental Clinic, Mohalla  
Rakabganj, Pargana-Haveli Awadh,  
City and District Faizabad, U.P.

...Respondent No. 6

7. State of Uttar Pradesh, through  
the Secretary, Home Department,  
Secretariat, Lucknow

...Respondent No. 7

8. The Collector and District Magistrate,  
Faizabad

...Respondent No. 8

9. The City Magistrate, Faizabad

...Respondent No. 9

10. The Senior Superintendent of Police,  
Faizabad

...Respondent No. 10

11. The President, All India Hindu Mahasabha,  
New Delhi

...Respondent No. 11

12. The President, All India Arya Samaj,  
Dewan Hall, Delhi

...Respondent No. 12

13. The President, All India Sanatan Dharam  
Sabha, Delhi

...Respondent No. 13

14. Sri Dharam Das, adult, Chela Baba  
Abhiram Das, R/o Hanuman Garhi, Ayodhya

...Respondent No. 14

15. Sri Pundarik Misra, adult, S/o Sri Raj Narain  
Misra, R/o Bahampur Sarai, Rakabganj, Faizabad

...Respondent No. 15

..3/-

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56

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- \*16. ~~Sri Ram Dayal Saran, Adult, Chela  
Ram Lakhon Saran, R/o Ram Charit  
Manas Bhawan, Mohalla Ramkot, Ayodhya~~ ...Respondent No. 16
17. Sri Ramesh Chandra Tripathi,  
adult, S/o Sri Paresh Ram Tripathi  
R/o Village Bhagwas Patti,  
Pergna Minihara Tahsil, Akbarpur Distt.  
Faizabad. ...Respondent No. 17
18. Sri Umesh Chandra Pandey,  
adult, S/o Sri Uma Shanker pandey,  
Advocate, R/o Ranopali, Ayodhya ...Respondent No. 18
19. Sri Ram Janam Bhumi Nyas,  
a Trust having its office at Sankat Mochan  
Ashram, Sri Hanuman Mandir, Rama  
Krishan Puram, Sector VI, New Delhi,  
through Sri Ashok Singhal-Managing Trustee ...Respondent No. 19
20. Shia Central Board of Waqfs, Lucknow, U.P. ...Respondent No. 20
21. Prince Anjum Quder, Prestrict, All  
India Shia Conference, Qaomi Ghar,  
Nadan Mahal Road, Lucknow.  
(Deleted and struck off vide court's  
order dated 10.11.1997) ...Respondent No. 21
22. All India Shia Conference through  
Sri S. Mohammad Hasnain Abidi,  
Honorary General Secretary, Qaomi-Ghar,  
Nadan Mohal Road, Lucknow ...Respondent No. 22
23. Hafiz Mohammad Siddiqui (Dead)  
Through Lrs. ...Respondent No. 23
- 23.1 Maulana Syed Ashhad Rashidi,  
S/o Maulana Syed Rashiduddin  
Hamidi, President, Jamiat Ulama-i-Hind,  
Subhash Marg, Ahata Shaukati Ali,  
Lucknow Uttar Pradesh ...Respondent No. 24
24. Vakeeladdin (Dead) Through Lrs. ...Respondent No. 25
- 24.1 Maulana Mahfoozur Rahman,  
S/o Late Maulana Wakiluddin,  
R/o Village Madarpur, Pargana  
& Tahsil Tanda, District Faizabad (U.P.) ...Respondent No. 26

...4/-

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(58)

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25. Bhagwan Sri Ram Virajman at Ram Janma Bhumi, Ayodhya also called Bhagwan Sri Ram Lala Virajman, represented by next friend, Sri Deoki Nandan Agarwala, Senior Advocate, Retired Judge, High Court, 56, Dilkusha, New Katra, Allahabad  
 -Expired on 08.04.2002 and in his place Sri Triloki Nath Pandey, aged about 65 yrs, S/o Late Sri Askrut Pandey, R/o Karsewak Puram, Ayodhya, District Faizabad is substituted as next friend of plaintiff nos. 1 & 2 ...Respondent No. 27

26. Asthan Sri Ram Janma Bhumi, Ayodhya, represented by next friend, Sri Deoki Nandan Agarwal, Senior Advocate, Retired Judge, High Court, 56, Dilkusha, New Katra, Allahabad -Expired on 08.04.02 and in his place Sri Triloki Nath Pandey, aged about 65 years, S/o Late Sri Askrut Pandey R/o Karsewak Puram, Ayodhya, District Faizabad ...Respondent No. 28

27. Sri Deoki Nandan Agarwala, aged about 68 yrs, S/o Late Sri M. L. Agarwala, Senior Advocate, Retired Judge, High Court, 56, Dilkusha, New Katra, Allahabad, and in his place Sri Triloki Nath Pandey, aged about 65 years, S/o Late Sri Askrut Pandey R/o Karsewak Puram, Ayodhya, District Faizabad ...Respondent No. 29

\* Lrs. of deceased Respondent Nos. 3, 5, 6, 23 and 24 brought on-record vide Hon'ble Court's Order dated 06.04.2018 passed in I.A. Nos. 38447 and 38449 of 2018.

\*\* Name of Respondent No. 16 is deleted vide Hon'ble Court's Order dated 06.04.2018 passed in I.A. Nos. 38447 and 38449 of 2018.

ASSISTANT REGISTRAR

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TO,

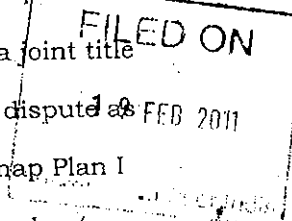
The Hon'ble chief justice of India and his Hon'ble  
Companion judges of the Hon'ble Supreme  
Court of India at New Delhi

The humble First Appeal of the  
Appellant above named

**MOST RESPECTFULLY SHEWETH:-**

1. That the Appellant above named respectfully submits

that the Appellant is seeking the First Appeal being  
aggrieved by the judgment and final order dated  
30.09.2010 passed in O.O.S. No. 5 of 1989 by the  
High Court of Judicature at Allahabad Lucknow  
Bench, Lucknow (hereinafter referred to as 'the High  
Court') vide which the High court by majority  
disposed of the said O.O.S. No. 5 of 1989 along with  
O.O.S. No. 1 of 1989, O.O.S. No. 3 of 1989 and O.O.S.  
No. 4 of 1989 decreeing the said O.O.S. No. 5 of 1989  
inter alia declaring all the three sets of parties i.e.  
Muslims, Hindus and Nirmohi Akhara joint title  
holders of the property / premises in dispute as  
described by letters ABCDEF in the map Plan I  
prepared by Sri Shiv Shanker Lal, Pleader /  
Commissioner appointed by Court in O.O.S. No. 1 of  
1989 to the extent of one third share each for using  
and managing the same for worshipping; and a  
preliminary decree to that effect, with further



IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
(Under Article 136 of the Constitution of India)

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AMENDED CAUSE TITLE

CIVIL APPEAL NO. 4192 of 2011

(Arising out of final judgment/ order dated 30.09.2010 passed by the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow in Original Suit (O.O.S) No. 5 of 1989 (alongwith other connected suits namely O.O.S No. 1 of 1989, O.O.S 3 of 1989, O.O.S No. 4 of 1989)

The Sunni Central Board of Waqfs  
U.P. Lucknow, Now known as  
U.P. Sunni Waqf Board, 3-A,  
Mall Avenue, Lucknow, U.P.  
through its Chief Executive Officer

Appellant

Versus

1. Bhagwan Sri Rama Virajman at Sri Rama Janma Bhumi, Ayodhya also called Bhagwan Sri Rama Lala Virajman, represented by next friend, Sri Deoki Nandan Agarwal Senior Advocate/Retired High Court Judge, 56, Dilkusha, Allahabad, is no more and in his place Sri Triloki Nath Pandey s/o Askrut Pandey, Karsewakpuram, Ayodhya, District Faizabad is substituted as next friend of Plaintiff No 1 and 2.

Respondent No. 1

2. Asthan Sri Rama Janma Bhumi, Ayodhya represented by next friend, Sri Deoki Nandan Agarwal Senior Advocate/Retired High Court Judge, 56, Dilkusha, Allahabad, is no more and in his place Sri Triloki Nath Pandey s/o Askrut Pandey, Karsewakpuram, Ayodhya, District Faizabad

Respondent No. 2

3. Sri Deoki Nandan Agarwal (deceased) Senior Advocate/ Retired High Court Judge, 56, Dilkusha, Allahabad, deceased and in his place Sri Triloki Nath Pandey s/o Askrut Pandey, Karsewakpuram, Ayodhya, District Faizabad

Respondent No. 3

P/...2

CA 1119211

(60)

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4. Sri Rajendra Singh, adult Son of the late Gopal Singh Visharad at present residing at Gonda, C/o State Bank of India, Gonda, Branch Gonda (U.P.)

Respondent No. 4

5. Param Hans Mahant Ram Chanra Das of Digambar Akhara (deceased), Ayodhya, District Faizabad, U.P.

- 5/1. Mahant Suresh das Chela late Sri Ram Chandra Das resident of Digarmbar Akhara, Ayodhya, District Faizabad, U.P.

Respondent No. 5/1

6. Nirmohi Akhara, Mohalla Ram Ghat, Ayodhya, District Faizabad, through its present Mahant Jagganath Das Nirmohi, Chela of Vaishnav Das Nirmohi, resident of Mohalla Ram Ghat. Nirmohi Bazar Parghana Haveli, Awadh, Ayodhya, District Faizabad

Respondent No. 6

7. The State of Uttar Pradesh through Secretary Home Department, Civil Secretariat, Lucknow

Respondent No. 7

8. The Collector and District Magistrate, Faizabad Collectorate Compound, Faizabad

Respondent No. 8

9. The City Magistrate, Faizabad Collectorate Compound, Faizabad

Respondent No. 9

10. The Senior Superintendent of Police, S.P. Office, Faizabad (U.P.)

Respondent No. 10

11. The President, All India Hindu Maha Sabha, (Pradeshik Sabha), Read Road, New Delhi

Respondent No. 11

12. The President, All India Arya Samaj, (Dewan Hall) Baldan Bhawan, Shradhanand Bazar, Delhi

Respondent No. 12

P/...3

CA 419211

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(6)

13. The President, All India Sanatan Dharma Sabha, Dhaula Kuan, Delhi

Respondent No. 13

14. Sri Dharam Das Chela Baba Abhiram Das, Resident of Hanuman Garhi, Ayodhya, Faizabad

Respondent No. 14

15. Sri Pundarik Misra, Son of Sri Raj Narain Misra, Resident of Bahampur Sarai, Rakabganj, Faizabad

Respondent No. 15

\*16. ~~Sri Ram Dayal Saran, Chela of the late Ram Lakhan Saran, resident of Ram Charitra Manas Bhawan, Ayodhya, District Faizabad~~

Respondent No. 16

17. Ramesh Chandra Tripathi son of Sri Parsh Ram Tripathi, resident of village Bhagwan Patti, Pargana Minihausa, Tehsil Akbarpur, District Ambedkar Nagar (U.P)

Respondent No. 17

18. Sri Umesh Chandra Pandey, son of Sri R.S. Pandey, Resident of Ranopali, Ayodhya, District Faizabad

Respondent No. 18

\$ 19. Ram Janam Bhumi Nyas, a Trust having its offices in Sankat Mochan Ashram, Sri Hanuman mandir, Rama Krishan Puram, Sector-VI, New Delhi through Ashok Singhal  
Its Managing Trustee ~~THR. SRI CHAMPAT RAI, TRUSTEE~~

Respondent No. 19

20. Shia Central Board of Wakfs Through its Chairman, Indira Bhavan, Ashoka Marg, Lucknow, U.P.

Respondent No. 20

P/...4

CA 4192/11

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\*\*21. Sri Mohammad Hashim (D) Thr. Lrs.

Mohammad Iqbal Ansari,  
S/o Late Mohammad Hashim,  
4/318, Mohallah Kotia,  
Village Jalwanpur,  
Pargana Haveli Awadh,  
Tehsil Sadar, Ayodhya,  
District - Faizabad, UP

Respondent No. 21/1

\*\*\*22. Sri Mohammad Ahmad @ Mehmood Ahmad  
(D) Thr. Lrs.

Respondent No. 22

3

Mr Anwar Ahmad (D) Thr. Lrs.

Respondent No. 22/1

Mr. Faiz Ahmad,  
Aged about 31 years,  
Son of late Mr. Anwar Ahmad  
Grand son of Late Mr Mohammad Ahmad  
alias Mr Mahmud ahmad,  
R/o Rakab Ganj,  
Faizabad (U.P)

Respondent No. 22/1/1

# 23. Hafiz Mohd. Siddiqui (D) Thr Lrs.

Maulana Rashhad Rashidi,  
Aged about 46 years  
S/o Maulana Rashiduddin,  
President of Jamiat Ulama-i-Hind  
(Uttar Pradesh)  
resident of Camp Office,  
Jamiat Ulama-i-Hind (Uttar Pradesh)  
Subhash Marg, Ahata Shaukat Ali,  
Rakabganj, Lukcnaw (U.P)  
and also  
R/o Madarsa Shahi,  
Shahi Majid, Mandi Chowk  
Muradabad-(U.P)

Respondent No. 23/1

24. Vakeeluddin, son of Ismail,  
Resident of Madarpur, Pergana  
and Tehsil Tanda, District  
Faizabad (dead)  
through  
his legal representatives

Respondent No. 24

24/1. Maulana Mehfoozur rahman, son  
of Wakiluddin, resident of Village  
Madarpur, Pergana & Tehsil  
Tanda, District Faizabad (U.P.)

Respondent No. 24/1

CA 4192/11 (63) 97

\* Respondent No. 16 has been deleted from array of parties vide Hon'ble Court's order dated 11.08.2017 passed in I.A. No.6.

\*\* Lrs. of deceased respondent No. 21 has been brought on record vide Hon'ble Court's order dated 11.08.2017 passed in I.A. Nos. 7 and 8.

\*\*\* Lrs. of deceased respondent No. 22 has been brought on record vide Hon'ble Court's order dated 11.08.2017 passed in I.A. Nos. 9 and 11.

# Lrs. of deceased respondent No. 23<sup>R 24</sup> has been brought on record vide Hon'ble Court's order dated 11.08.2017 passed in I.A. Nos. 12 and 13. #

ASSISTANT REGISTRAR

⑨ Resp. No. 22/11, has been deleted from array of parties vide Hon'ble Chamber Judge order dt 29/11/17 passed in IA No. 121989/17.

ASSISTANT REGISTRAR

\$ Name of Lrs. of deceased Representative of R-19 has been brought on Record vide Hon'ble Chamber Judge order dt 29/1/18 passed in IA Nos. 128124 and 131671/2017.

ASSISTANT REGISTRAR

8538

A 4192/11

(64)

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**CIVIL APPEAL UNDER SECTION 96 READ WITH SECTION 109 OF**  
**THE CODE OF CIVIL PROCEDURE AND**  
**ARTICLES 133, 134-A AND 136 OF THE**  
**CONSTITUTION OF INDIA**

To

The Hon'ble Chief Justice of India

And His Companion Justices of the Hon'ble Supreme Court of  
India.

The humble appeal of the Appellant named above.

**MOST RESPECTFULLY SHEWETH:**

1. That the Appellant herein (defendant No 4 in O.O.S. No 5 of 1989) is preferring the present Civil Appeal under Section 96 of the Code of Civil Procedure, 1908 ( hereinafter referred to as " CPC") read with Section 109 CPC and Articles 133, 134-A and 136 of the Constitution of India against the impugned Final Judgment, order and Preliminary decree dated 30.09.2010 passed by a Special Full Bench of three Hon'ble Judges of the High Court of Allahabad, Lucknow Bench, vide their separate judgments disposing of Other Original Suit (O.O.S) No. 5 of 1989 (alongwith other connected Suits namely Q.O.S No.1 of 1989, O.O.S. 3 of 1989, O.O.S No 4 of 1989) in terms of the same common judgment. On the same day, the Special Full Bench of the High Court has also passed a separate order observing that in their opinion an Appeal is maintainable in this Hon'ble Court under Section 96 CPC.

It is material to point out that the said Special Bench of the High Court has carried out corrections in the judgment vide order dated 10.12.2010 and the said corrections have been carried out by the office

(65)

AMENDED CAUSE TITLE

CIVIL APPEAL NO. 5498 OF 2011

(Appeal arising out of final impugned Judgment and Order dated 30<sup>th</sup> September, 2010 of the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow in O.O.S No. 4 of 1989 (Regular Suit No. 12-61).

Farooq Ahmad (D) Thr. Lrs.

\* Mohd. Umar S/o Late Farooq Ahmad  
R/o Naugazi Qabar (Naugazi Bazar),  
Ayodhya City, District Faizabad (U.P)  
Appellant

Versus

1. Sri Param Hans Ram Chander Das, (D) Thr. Lrs.

1/1. Mahanth Suresh Das Chela  
Sri Param Hans Ram Chander Das  
resident of Ajodia, City Faizabad, UP

Respondent No. 1

2. Nirmohi Akhara,  
Situating in Mohalla Ram Ghat City Ayodhya,  
District Faizabad, UP  
Through Mahant Raghunath Dass (Dead)

@ 2.1 Through its present Mahant Dinendra Das  
Resident of Mohalla Ram Ghat, Ayodhya,  
District Faizabad, U.P.

Lr. of Deceased  
Respondent No. 2

\$ 3. ~~Mahant Raghunath Dass,  
Chela Mahant Dharam Dass Mahant  
and Sarbaralchar Nirmohi Akhara Mohalla  
Ram Ghat, City Ajodhya, District Faizabad, UP~~

Respondent No. 3

4. The State of Uttar Pradesh  
through Chief Secretary,  
to the State Government, U.P.

Respondent No. 4

..2/-

5. The Collector, Faizabad, UP Respondent No. 5
6. The City Magistrate, Faizabad, UP Respondent No. 6
7. The Superintendent of Police,  
Faizabad, UP Respondent No. 7
- \$ 8. ~~B. Priya Dutt~~  
~~Son of R.B. Babu Kamalpat Ram,~~  
~~Resident of Rakabganj, Faizabad, UP~~ Respondent No. 8
9. President, All India Hindu Maha Sabha,  
Read Road, New Delhi  
Maha Pradeshik Sabha Respondent No. 9
10. President, All India Arya/Samaj,  
Delhi (Dewan Hall) Baldan Bhawan,  
Shradhanand Bazar, Delhi Respondent No. 10
11. President,  
All India Sanatan Dharm Sabha,  
Delhi Respondent No. 11
12. Abhiram Das (D) Thr Lrs.  
12/1 Dharam Das alleged Chela  
Baba Abhiram Das,  
R/o Hanuman Garhi, Ayodhya  
Faizabad, U.P. Respondent No. 12
13. Pundrik Misra,  
S/o Raj Narain Misra, R/o Balrampur Sarai,  
Rakabganj, Faziabad, UP Respondent No. 13
- \$ 14. ~~Sri Ram Dayal Saran, Chela~~  
~~Son of Late Ram Laxman Saran,~~  
~~Resident of town Ayodhya,~~  
~~District Faizabad, UP~~ Respondent No. 14
15. Ramesh Chandra Tripathi,  
aged about 29 years,  
son of Sri Parsh Rama Tripathi,  
Resident of Village Bhagwan Patti,  
Pargana Minjhaura, Tahsil Akbarpur,  
District Faizabad, UP Respondent No. 15

C.A. 5498/11 (67)

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\$ 16. Mahant Ganga Das  
aged about 45 years,  
Chela of Mahant Sarju Dass  
R/o Mandir Ladle Prasad, City Ayodhya  
Faizabad, UP

Respondent No. 16

\$ 17. ~~Shri Swami Govindacharya,~~  
~~Manas Martand Putra~~  
~~Balbhadar Urf Jhallu,~~  
~~R/o Makan No. 735, 736, 737,~~  
~~Katra Ayodhya, Pergana Haveli Audh Tahsil~~  
~~and Zila Faizabad, UP~~

Respondent No. 17

18. Madan Mohan Gupta,  
convener of Akhil Bhartiya  
Sri Ram Janam Bhoomi  
Punarudhar Samti, E-7/45  
Bangla T.T. Nagar, Bhopal, M.P.

Respondent No. 18

19. Umesh Chandra Pandey,  
Son of Sri R.S. Pandey,  
R/o Ranupalli,  
Ayodhya, Distt. Faizabad, UP

Respondent No. 19

20. The Sunni Central Board of Waqfs U.P.  
Lucknow, Moti Lal Bose Road,  
7 Police Station Kaiserbagh,  
City Lucknow, U.P. through Secretary,  
Shah Ghyas Alam,

Respondent No. 20

21. Mohd. Siddiq (Dead) Thr. Lr.

@21.1 Maulana Ashhad Uddin  
S/o Maulana Rishid Uddin  
R/o Committee of Jammat Ulema-i-Hind  
(Uttar Pradesh)  
Subhash Marg, Ahata, Shuakti Ali, Rakab Ganj,  
Lucknow, U.P.

Also R/o Madas Shahi, Shahi Masjid,  
Mand Chowk, Moradabad, U.P.

Lr. of Deceased  
Respondent No. 21

..4/-

22. Ziauddin (D) Thr. Lrs.

22/1. Misbahuddin

Aged about 39 years,  
S/o Late Ziauddin,  
R/o Mohalla Angoori Bagh,  
Awadh City Tahsil & Distt. Faizabad, U.P

Respondent No. 22

23. Mohammad Hashim Dead Thr. Lrs.

@ 23.1 Mohammad Iqbal Ansari

S/o Late Mohammad Hashim  
R/o 4/318, Kotia, Ayodhya,  
District- Faizabad, U.P.

Lr. of Deceased  
Respondent No. 23

24. Maulana Mahfoozurahman,  
aged about 52 years  
son of late maulana Wakiluddin,  
Resident of Village Madarpur,  
Pergana and Tehsil Tanda,  
District Faizabad UP

Respondent No. 24

\*\*25 Mahmud Ahmad (D) Thr. Lrs.

Faiz Ahmad,  
S/o Late Anwar Ahmad,  
R/o Mohalla Rakabganj,  
City Faizabad, UP

Respondent No. 25

\* Lrs. of deceased Appellant has been brought on record vide Hon'ble Court's order dated 11.8.2017.

\*\* Lrs. of deceased Respondent No. 25 has been brought on record vide Hon'ble Court's order dated 11.8.2017.

S/d- on 30.08.2017

ASSISTANT REGISTRAR

\$ Respondent Nos. 3, 8, 14, 16 and 17 have been deleted vide Hon'ble Court's Order dated 09.11.2019 passed in I.A. No. 206 of 2018.

@ Lrs. of deceased respondent Nos. 2, 21 and 23 have been brought on-record vide Hon'ble Courts Order dated 09.11.2019 passed in I.A. Nos. 191, 196 and 198 of 2018.

ASSISTANT REGISTRAR

4311  
93  
(69)  
Pergana and Tahsil Tanda,

District Faizabad, U.P.

(Amended & Added as per Court's  
order dated 9.5.95) Sd./- 9.5.95

Plaintiff No.8/1 Respondent No.24

25. Mahmud/Ahmad

Dead by/Lrs

2,

25/1 Faiz Ahmad

S/o late Anwar Ahmad

resident of Mohalla Rakabganj,

City Faizabad, U.P.

Not party Respondent No.25

www.vadaprativada.com

**Performa respondents**

**23 to 25**

**CIVIL APPEAL U/S 96 OF THE CODE OF  
CIVIL PROCEDURE READ WITH SECTION  
109 C.P.C. AND ARTICLE 133/134-A/136  
OF THE CONSTITUTION OF INDIA.**

CT 54811 (70) 4312 94  
To

The Hon'ble Chief Justice of India and his  
Companion Justices of the Hon'ble Supreme Court  
of India.

The Humble appeal of the Appellant above  
named.

**MOST RESPECTFULLY SHEWETH:-**

1. This is an appeal against the final judgment  
and order dated 30.09.2010 passed by the full Bench of  
Allahabad Lucknow Bench, Lucknow passed, in four  
other Original suits i.e. in O.O.S. No.4 of 1989 (Reg  
Suit No.12-61) whereby the Hon'ble High Court has  
divided the suit property in to three equal shares,  
allotting the area of middle dome portion of the  
constructed Mosque (demolished on 06.12.1992), to  
Lord Ram Lalla and 1 1/3 rd to the Muslims i.e. the  
party which owned, possessed and had been using the  
same for offering Nemaz from 1528 to 1949.

SECTION III-A  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

(71)  
CA 7226/11 95

AMENDED CAUSE TITLE

Civil Appeal No. 7226 of 2011

1. Mohammad Hashim (Deceased),  
through LR

\*1.1 Mohammad Iqbal Ansari  
S/O Late Mohammad Hashim,  
4/318, Kotia, Ayodhya, District-  
Faizabad, U.P.

...Lr. of Deceased  
Appellant No. 1

Versus

1. Bhagwan Sri Rama Virajman at  
Sri Rama Janmabhumi, Ayodhya  
also called Bhagwan Sri Rama Lala  
Virajman, represented by next friend,  
Sri Deoki Nandan Agarwal Senior  
Advocate/Retired High Court Judge,  
56, Dilkusha, Allahabad, is no more  
and his place Sri Triloki Nath Pandey  
S/O Askrut Pandey, Karsewakpuram,  
Ayodhya, District Faizabad is substituted  
as next friend of Plaintiff No. 1 and 2

2. Asthan Sri Rama Janma Bhumi, Ayodhya  
represented by next friend, Sri Triloki Nath  
Pandey S/O Askrut Pandey, Karsewakpuram,  
Ayodhya, District Faizabad

3. Sri Triloki Nath Pandey S/O Askrut Pandey,  
Karsewakpuram, Ayodhya, District Faizabad

4. Sri Rajendra Singh,  
adult Son of the Late Gopal Singh Visharad  
at present residing at Gonda, C/O State Bank  
of India, Gonda, Branch Gonda (U.P.)

5. Param Hans Mahant Ram Chandra Das of  
Digambar Akhara (Deceased), Ayodhya,  
District Faizabad, U.P.

5/1. Mahant Suresh Das Chela late  
Sri Ram Chandra Das resident of  
Digarmbar Akhara, Ayodhya,  
District Faizabad, U.P.

...Lr. of Deceased R No. 5

..2/-

6. Nirmohi Akhara, Mohalla, Ram Ghat,  
Ayodhya, District Faizabad, through its  
present Mahant Jagganath (Dead)  
Through LR.
- @6/1. Present Mahant Bhaskar Das (Dead)  
\$ Thorough Present Mahant Dinendra Das  
R/O Mohalla Ram Ghat, Ayodhya,  
District Faizabad, U.P.
7. The State of Uttar Pradesh through  
Secretary Home Department,  
Civil Secretariat, Lucknow
8. The Collector and District Magistrate,  
Faizabad Collectorate Compound, Faizabad
9. The City Magistrate, Faizabad  
Collectorate Compound, Faizabad
10. The Senior Superintendent of Police,  
S.P. Office, Faizabad (U.P.)
11. The President, All India Hindu Mahasabha,  
(Pradeshik Sabha), Read Road, New Delhi
12. The President, All India Arya Samaj,  
(Dewan Hall) Baldan Bhawan,  
Shradhanand Bazar, Delhi
13. The President, All India Sanatan Dharam  
Sabha, Dhaula Kuan, Delhi
14. Sri Dharam Das Chela Baba Abhiram Das,  
Resident of Hanuman Garhi, Ayodhya, Faizabad
15. Sri Pundarik Misra  
Son of Sri Raj Narain Misra,  
Resident of Bahampur Sarai,  
Rakabganj, Faizabad
- \*\*\*\*16. ~~Sri Ram Dayal Saran,  
Chela of the late Ram Lalhan Saran,  
Resident of Ram Charitra Manas Bhawan,  
Ayodhya, District Faizabad~~
17. Ramesh Chandra Tripathi  
S/O Sri Parsh Ram Tripathi,  
R/O Village Bhagwan Patti,  
Pargana Minihausa, Tehsil  
Akbarpur, District Ambedkar Nagar (U.P.)

...Lr. of Deceased R No. 6

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18. Sri Umesh Chandra Pandey,  
S/O Sri R. S. Pandey,  
R/O Ranopali, Ayodhya,  
District Faizabad
19. Ram Janam Bhumi Nyas,  
a Trust Having its offices in  
Sankat Mochan Ashram, Sri  
Hanuman Mandir, Rama  
Krishan Puram, Sector-VI,  
New Delhi through Ashok Singhal  
its Managing Trustee
20. Shia Central Board of Wakfs  
Through its Chairman, Indira  
Bhawan , Ashoka Marg, Lucknow, U.P.
21. The Sunni Central Board of Waqfs U.P.  
Lucknow, Now known as U.P. Sunni Central  
Waqf Board, 3-A, Mall Avenue, Lucknow,  
U.P. through its Chief Executive Officer
- \*\*22. ~~Sri Mohammad Ahmad alias Mehmood Ahmad (Dead),  
S/O of Sri Ghulam Hasan, R/O Mohalla Rakabganj,  
Faizabad, Dead through his legal representatives  
Late Anwar Ahmed survived by~~

\*\*\*22 A. Mr Faiz Ahmad,  
Aged about 26 years,  
S/O late Mr Anwar Ahmad,  
S/O Late Mohammad Ahmad  
Alias Mehmood Ahmad R/O  
Rakabganj, Faizabad (U.P.)

...Lr. of Deceased R No. 22

23. Hafiz Mohd. Siddiqui (Dead) Through LR.
- \$23. Maulana Ashhad Rshidi  
S/O Maulana Rishid Uddin  
R/O Committee of Jamaitul-ulema-i-Hind,  
(Uttar Pradesh)  
Subhash Marg, Ahata, Shuakti Ali, Rakab Ganj,  
Lucknow, U.P.  
Also R/O Madasa Shahi, Shahi Masjid,  
Mand Chowk, Moradabad, U.P.
24. Maulana Mehfoozur Rahman  
S/O Vakeeluddin, R/O Madarpur, Pergana  
of Madarpur, Pargana and Tehsil Tanda,  
District Faizabad

...Respondents

\* Legal Representative of deceased Appellant has been brought on record vide this Hon'ble Courts order dated 25.11.2016 (Hon'ble Judge in Chambers)

\*\* Name of deceased Respondent No. 22 has been deleted from the Array Parties Vide this Hon'ble Courts order dated 26.09.2011 passed in I.A. No. 2 of 2011.

\*\*\* Legal Representative of deceased Respondent No. 22 brought on record vide this Hon'ble Courts order dated 26.09.2011 passed in I.A. No. 2 of 2011.

@ Legal Representative of deceased Respondent No. 6 brought on record vide Hon'ble Court's Order dated 11.08.2017 passed in I.A. D. No. 60099/2016.

S/d- on 14.12.2016

**ASSISTANT REGISTRAR**

\*\*\*\* Respondent No. 16 has been deleted vide Hon'ble Judge in Chamber order dated 06.11.2017 passed in I.A. No. 9/2017.

S/d- on 13.11.2017

**ASSISTANT REGISTRAR**

\$ Legal Representative of deceased Respondent Nos. 6 and 23 brought on record vide Hon'ble Court's Order dated 14.03.2018 passed in I.A. No. 32415/2018, 32417/2018 and 32418/18.

32418/18.

**ASSISTANT REGISTRAR**

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Tehsil Tanda, District Faizabad

(U.P.)

CIVIL APPEAL U/S 96 OF THE CODE OF CIVIL PROCEDURE  
READ WITH SECTION 109 C.P.C. AND ARTICLES 133 / 134-  
A/136 OF THE CONSTITUTION OF INDIA

To

The Hon'ble Chief Justice of India  
And His Companion Justices of the  
Hon'ble Supreme Court of India.

The humble appeal of the Appellant named above

MOST RESPECTFULLY SHEWETH

- 1 That the present Appeal arises out of the Judgment and Preliminary Decree dated 30.9.2010 passed by the Hon'ble High Court of Allahabad, Lucknow Bench Lucknow, by three Hon'ble Judges of Special Full Bench, disposing of O.O.S. No. 5 of 1989 vide their separate judgments (alongwith O.O.S. No. 1, 3 & 4 of 1989) in terms of the same common judgment. On the same day, the Special Full Bench of the High Court has also passed separate order observing that in their opinion appeal under section 96, CPC would be maintainable.

The findings of the three Hon'ble Judges, which are against the appellant, are being challenged and the Grounds of Appeal are set out herein below.

- (a) Copy of the Impugned Judgment dated 30.09.2010 passed by Mr. Justice S.U. Khan, disposing of the aforesaid suits, is being filed in Volume-I, at pages 1 to 285.
- (b) Copy of the Impugned Judgment dated 30.09.2010 passed by Mr. Justice Sudhir Agarwal disposing of the aforesaid suits is being filed as impugned Judgment in Volumes II to XXII, at pages 286 to 5644.
- (c) Copy of the Impugned Judgment dated 30-09-2010 passed by Mr. Justice D.V. Sharma disposing of the

**AMENDED CAUSE TITLE**

**Civil Appeal No. 8096 of 2011**

Maulana Mahfoozurahman,  
S/o Late Maulana Wakiluddin, Resident  
of Village Madarpur, Pergana & Tahsil  
Tanda, District Faizabad. (U.P.).

...Appellants

VERSUS

1. Mahant Suresh Das Chela Sri Param  
Hans Ram Chander Das, resident of  
Digambar Akhara, City Ayodhya,  
District Faizabad. (U.P.)

...Respondent

- \$2 Nirmohi Akhara situate in Mohalla  
Ramghat, Through Mahant  
Rameshwar Das (D) Thr. Lrs.

Dinendra Das Chela Mahant Bhairo Das Nagar,  
Chela Mahant Raja Ramchanddracharya,  
R/o Shri Panchramanandi Nirmohi Akhara,  
Ram Ghat Kotwali Ayodhya, District Faizabad  
Uttar Pradesh

...Respondent

3. The State of Uttar Pradesh through  
Chief-Secretary to the State Government,  
Civil Secretariat, Lucknow (U.P.)

...Respondent

4. The Collector, Faizabad Collectorate  
Compound, Faizabad, (U.P.)

...Respondent

5. The City Magistrate, Faizabad.  
Collectorate Compound Faizabad (U.P.)

...Respondent

6. The Superintendent of Police,  
S.P. Office Faizabad, District Faizabad  
(U.P.)

...Respondent

PI/...2

- \*\*7. ~~B. Priya Dutt S/o R.B. Babu Kamlapat Ram, R/o Rakabganj Faizabad, District Faizabad (U.P.)~~ ...Respondent
8. President, All India Hindu Maha Sabha, Read Road, New Delhi. ...Respondent
9. President Arya Maha Pradeshik Sabha, Dewan Hall, Baldan Bhawan, Shrasdhanand Bazar, Delhi. ...Respondent
10. President, All India Sanatan Dharam Sabha, Dhaula Kuan, New Delhi. ...Respondent
11. Dharam Das alleged Chela Baba Abhiram Das, Resident of Hanuman Garhi, Ayodhya, Faizabad (U.P.) ...Respondent
12. Sri Pundrik Misra, son of Raj Narain Misra, Resident of Balrampur Sarai, Rakabganj, Faizabad. ...Respondent
- \*\*13. ~~Sri Ram Dayal Saran, Chela of late Ram Lakhan Saran, resident of town Ayodhya, District Faizabad (U.P.)~~ ...Respondent
14. Ramesh Chandra Tripathi, son of Sri Paras Rama Tripathi, Resident of village Bhagwan Patti, Pargana Mujhaura, Tehsil Akbarpur, District Ambedkar Nagar, (U.P.) ...Respondent
- \*\*15. ~~Mahant Ganga Das, Chela of Mahant Sarju Dass, resident of Mandir Ladle Prasad, City Ayodhya, Faizabad (U.P.)~~ ...Respondent
- \*\*16. ~~Sri Swami Govindacharya, Manas Martand Putra Balbhadar Urf Jhaloo R/o of Makan no. 735, 736, 737, Katra Ayodhya, Pargana Haveli Oudh, Tehsil and District Faizabad (U.P.)~~ ...Respondent
17. Madan Mohan Gupta, convener of Akhil Bhartiya Sri Ram Janam Bhoomi Punarudhar Samiti, E-7/45, Bangla T.T. Nagar, Bhopal (M.P.) ...Respondent

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18. Umesh Chandra Pandey, son of Sri R.S. Pandey, Resident of Ranupalli, Ayodhya, District Faizabad (U.P). ...Respondent
19. Prince Anjum Qadar, President All India Shia Conference, Registered, Qaumi Ghar, Nadan Mahal Road, P.S. Chock, Lucknow, (U.P.) ...Respondent
20. Sunni Central Board of Waqf, U.P. Lucknow, Old address Moti Lal Bose Road, P.S. Kesarbagh, Lucknow (UP) New Address: 3-A, Mall Avenue, Lucknow (U.P.) through its Chief Executive Officer. ...Respondent
21. Misbahuddin, son of late Ziauddin, Resident of Mohalla Angoori Bagh, Pargana Haveli Oudh, City, Tehsil & District Faizabad (U.P.). ...Respondent
- \$22. Mohd. Siddiq alias Mohammad Siddiq (D) Thr. Lrs.
- 22/1. Maulana Rashhad Rashidi, Aged about 46 years S/o Maulana Rashiduddin, President of Jamiat Ulama-i-Hind (Uttar Pradesh) Resident of Camp Office Jamiat Ulama-i-Hind (Uttar Pradesh) Subhash Marg, Ahata Shaukat Ali, Rakabganj, Lucknow and Also R/o Madarsa Shahi, Shahi Majid, Mandi Chowk, Muradabad (UP) ...Respondent
- \$23. Mohammad Hashim (D) Thr. Lrs.
- 23/1. Mohammad Iqbal Ansari S/o Late Mohammad Hashim. 4/318, Mohallah Kotia, Village Jalwanpur, Pargana Haveli Awadh, Tehsil Sadar, Ayodhya, District -Faizabad, Uttar Pradesh ...Respondent

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24. Mahmud/Ahmad sonof Ghulam Hasan,  
resident of Mohalla Rakabganj, City  
Faizabad, District Faizabad. (U.P.). Dead  
through its Legal Representatives

...Respondent

24 A. Mr. Maulana Mufti Hasbullah  
alias Badshah Saheb, aged about 50  
years, son of late maulana Faizullah,  
R/o101, Madani Manzil, Mughalpur,  
Faizabad (U.P.)

24 B. Mr. Faiz Ahmad,  
Aged about 26 years,  
Son of late Anwar Ahmad,  
R/o Rakab Ganj,  
Faizabad (U.P.)

25. Farooq Ahmad, son of late Sri Zahoor  
Ahmad, Resident of Mohalla Naugazi  
Qabar, Ayodhya City, Ayodhya, District  
Faizabad State of (U.P.).

...Respondent

\* Lrs. of deceased Respondent No. 24 brought on record vide Hon'ble Court's  
order dated 11.8.2017.

sd/-on 31.8.2017

ASSISTANT REGISTRAR

\*\* Respondent Nos. 7, 13, 15 and 16 have been deleted from array of the  
parties vide Hon'ble Chamber Judge Order dated 29.11.2017 passed in IA  
No. 121767 of 2017.

\$ Lrs. Representative of Respondent Nos. 2, 22 and 23 are brought on record  
vide Hon'ble Chamber Judge Order dated 29.1.2018 passed in IA Nos.  
121764, 124228, 121797, 121794, 121780, 121779 121781 of 2017.

ASSISTANT REGISTRAR

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CA 8096/14  
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CIVIL APPEAL UNDER SECTION 96 READ WITH SECTION 109 OF  
THE CODE OF CIVIL PROCEDURE AND  
ARTICLES 133, 134-A AND 136 OF THE  
CONSTITUTION OF INDIA

To

The Hon'ble Chief Justice of India

And His Companion Justices of the Hon'ble Supreme Court of India.

The humble appeal of the Appellant named above.

**MOST RESPECTFULLY SHEWETH:**

1. That the Appellant herein (Plaintiff No 8/1 in O.O.S. No 4 of 1989) is preferring the present Civil Appeal under Section 96 of the Code of Civil Procedure, 1908 ( hereinafter referred to as " CPC") read with Section 109 CPC and Articles 133, 134-A and 136 of the Constitution of India against the impugned Final Judgment, order and Preliminary decree dated 30.09.2010 passed by a Special Full Bench of three Hon'ble Judges of the High Court of Allahabad, Lucknow Bench, vide their separate judgments disposing of Other Original Suit (O.O.S) No. 4, of 1989 (alongwith other connected Suits namely O.O.S No.1 of 1989, O.O.S. 3 of 1989, O.O.S No 5 of 1989) in terms of the same common judgment. On the same day, the Special Full Bench of the High Court has also passed a separate order observing that in their opinion an Appeal is maintainable in this Hon'ble Court under Section 96 CPC.

It is material to point out that the said Special Bench of the High Court has carried out corrections in the judgment vide order dated 10.12.2010 and the said corrections have been carried out by the office

ITEM NO.501

COURT NO.1

SECTION III-A

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

Civil Appeal Nos. 10866-10867/2010

M.SIDDIQ (D) THR. LRS.

Appellant(s)

VERSUS

MAHANT SURESH DAS & ORS.

Respondent(s)

WITH

C.A. Nos. 4768-4771/2011 (III-A)

C.A. No. 2636/2011 (III-A)

C.A. No. 821/2011 (III-A)

C.A. No. 4739/2011 (III-A)

(FOR DISCHARGE OF ADVOCATE ON RECORD ON IA 95540/2018, FOR APPLICATION FOR SUBSTITUTION ON IA 95542/2018, FOR APPLICATION FOR SUBSTITUTION ON IA 137163/2018, FOR APPLICATION FOR SUBSTITUTION ON IA 12631/2019, FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA 12634/2019, FOR ADDITION / DELETION / MODIFICATION PARTIES ON IA 12637/2019, FOR CLARIFICATION/DIRECTION ON IA 13106/2019, FOR DISCHARGE OF ADVOCATE ON RECORD ON IA 13977/2019, FOR APPLICATION FOR VACATION OF INTERIM ORDER ON IA 21271/2019 and FOR CLARIFICATION/DIRECTION ON IA 31138/2019)

C.A. Nos. 4905-4908/2011 (III-A)

(FOR CLARIFICATION/DIRECTION ON IA 48546/2019, FOR APPLICATION FOR SUBSTITUTION ON IA 85006/2019, FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA 85007/2019 and FOR SETTING ASIDE AN ABATEMENT ON IA 92315/2019)

C.A. No. 2215/2011 (III-A)

C.A. No. 4740/2011 (III-A)

(FOR CLARIFICATION/DIRECTION ON IA 96279/2019)

C.A. No. 2894/2011 (III-A)

C.A. No. 6965/2011 (III-A)

C.A. No. 4192/2011 (III-A)

(FOR DISCHARGE OF ADVOCATE ON RECORD ON IA 37453/2019)

C.A. No. 5498/2011 (III-A)

(FOR APPLICATION FOR SUBSTITUTION ON IA 191/2019, FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA 196/2019, FOR EXEMPTION FROM FILING O.T. ON IA 198/2019 and FOR DELETING THE NAME OF PETITIONER/RESPONDENT ON IA 206/2019)

C.A. No. 7226/2011 (III-A)

C.A. No. 8096/2011 (III-A)

Diary No. 22744/2017 (XI)

(FOR CONDONATION OF DELAY IN FILING ON IA 69841/2017 and FOR EXEMPTION FROM FILING O.T. ON IA 69843/2017)

Date : 16-10-2019 These matters were called on for hearing today.

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CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE S.A. BOBDE  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE ASHOK BHUSHAN  
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Appellant(s)

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Mr. Kunwar Aditya Singh, Adv.  
Ms. Siddhi Padia, Adv.

Dr. Rajeev Dhavan, Sr. Adv.  
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Mr. Uzmi Jameel Husain, Adv.  
Mr. Daanish Ahmad Syed, Adv.  
Mr. Mohammad Sulaiman Khan, Adv.  
Mr. Zia Ul Qayum, Adv.  
Mr. Mushtaq Ahmad Siddique, Adv.  
Mr. Shail Kumar Dwivedi, Adv.

Mr. Zafaryab Jilani, Sr. Adv.  
Mr. Ejaz Maqbool, AOR  
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Mr. Kunwar Aditya Singh, Adv.

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Mr. Nizampasha, Adv.  
Mr. Zaki Ahmad Khan, Adv.  
Mr. Aditya Samaddar, Adv.  
Ms. Sarah Haque, Adv.

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Mr. M.R. Shamshad, AOR  
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Mr. Zaki Ahmad Khan, Adv.  
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Ms. Bhabna Das, Adv.  
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Ms. Chitra Vats, Adv.

Mr. K. Parasaran, Sr. Adv.  
Mr. C.S. Vaidyanathan, Sr. Adv.

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Mr. Gobind Kumar, Adv.  
Mr. P.K. Singh, Adv.  
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Mr. Anirudh Sharma, Adv.  
Mr. Amit Sharma, Adv.  
Mr. Sandeep Singh, Adv.  
Mr. Pranav Kumar, Adv.  
Mr. Ashish Kumar Upadhyay, Adv.  
Mr. Babul Kumar, Adv.  
Mr. Y. Lokesh, Adv.  
Mr. Akshay Nagarajan, Adv.  
Mr. P. Abinash Karthik, Adv.  
Mr. Priya Ranjan Roi, Adv.  
Mr. Anil Hooda, Adv.  
Mr. Ajay Sharma, Adv.

Mr. Sushil Kumar Jain, Sr. Adv.  
Mr. Puneet Jain, Adv.  
Mr. R.L. Verma, Adv.  
Mr. Arun Sharma, Adv.  
Ms. Christi Jain, Adv.  
Mr. Tarunjeet Verma, Adv.  
Mr. Varun Sharma, Adv.  
Mr. Harshit Khanduja, Adv.  
Mr. Harsh Jain, Adv.  
Mr. Abhinav Deshwal, Adv.  
Mr. Abhinav Gupta, Adv.  
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Mr. Yash Mishra, Adv.  
Mr. Ankit Raj, Adv.  
Mr. Indira Bhakar, Adv.  
Mr. Rajesh Singh, Adv.  
Mr. Vineet Pandey, Adv.  
Ms. Nidhi Jaiswal, Adv.  
Mr. Santosh Kumar, Adv.  
Mr. T. Bhaskar Gowtham, Adv.  
Mr. Ashwin Kumar, Adv.  
Mr. Kumar Mihir, Adv.  
Ms. Shristi Mishra, Adv.  
Mr. Dwijendra Prasad Gupta, Adv.  
Mr. Deepak Kumar, Adv.  
Ms. Ruchi Kohli, AOR

Mr. Shekhar Naphade, Sr. Adv.  
Mr. Irshad Ahmad, AOR

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Mr. Abhikalp Pratap Singh, Adv.  
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Ms. Aishwarya Dash, Adv.  
Mr. M. Taiyyab Khan, Adv.  
Mr. Mujibuddin, Adv.  
Mr. Tasbrik Ahmad, Adv.

Mr. Vikas Singh, Sr. Adv.  
Mr. Ravi Shankar Kumar, Adv.  
Mr. Vivek Sharma, Adv.  
Mr. Pallav Mongia, AOR  
Mr. Rajesh Raina, Adv.  
Mr. Abhinav Goyal, Adv.  
Mr. Dawneesh Shaktivats, Adv.  
Mr. Narendra Kumar, Adv.  
Mr. Utkarsh Kashyap, Adv.  
Mr. Saayan Kunal, Adv..  
Mr. Jamshed Bey, Adv.  
Ms. Priyambica M. Jha, Adv.  
Ms. Deepika Kaliya, Adv.  
Mr. Mritunjaya Singh, Adv.  
Mr. Sanjay Kumar Mishra, Adv.  
Mr. Satwik Misra, Adv.  
Mr. Smarhar Singh, Adv.  
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Ms. Aakancha Verma Chandhiok, Adv.  
Mr. Janmay Verma, Adv.  
Mr. Binay Kumar Das, Adv.  
Ms. Priyanka Das, Adv.  
Ms. Joyoti Kundu Goyal, Adv.  
Ms. Vimla Sinha, Adv.  
Mr. Baldev Atreya, Adv.  
Dr. Alok Kumar Sharma, Adv.  
Ms. Dhriti Singh, Adv.

Mr. M.C. Dhingra, AOR  
Mr. Piyush Kant Roy, Adv.  
Mr. Gaurav Dhingra, Adv.  
Mrs. Abha Roy, Adv.  
Mr. Vikrant Yadav, Adv.  
Ms. Indira Kandra, Adv.  
Ms. Arna Das, Adv.  
Ms. Kamakshi S. Mehlwal, Adv.  
Mr. Mohit Yadav, Adv.  
Ms. Deepti J. Raj, Adv.

Ms. Rubina Jawed, Adv.  
Mr. Md. Izhar Alam, Adv.  
Mr. Shakil Ahmed Syed, AOR

An

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Mr. Anoop Bose, Adv.  
Mr. Girjesh Pandey, Adv.  
Mr. Antariksh Singh, Adv.  
Mr. Rakesh Kumar, Adv.  
Mr. Sanjeev Kumar, Adv.  
Mr. Rajesh Kumar, Adv.  
Mr. Akash Kumar Singh, Adv.  
Mr. Amit Sharma, Adv.  
Ms. Divyani Singh, Adv.  
Ms. Vrinda Jhingan, Adv.  
Mr. Uday Prakash Yadav, Adv.  
Ms. Nabhanya Sharma, Adv.  
Mr. Hement Sharma, Adv.  
Mr. Aushothosh Sharma, Adv.  
Mr. Niraj Srivastava, Adv.  
Mr. Sujit Jha, Adv.  
Mr. Alok Singh, Adv.  
Mr. Narayan R. Panicker, Adv.  
Mr. Abhishek Singh, Adv.

Mr. K.K. Khurana, Adv.  
Mr. M.K. Pandey, Adv.  
Mr. Amit Kumar Singh, Adv.  
Mr. Shiv Nand Mishra, Adv.  
Mr. Rajkumar Parashar, Adv.  
Mr. Hari Shankar Jain, Adv.  
Ms. Yashmi Sehgal, Adv.  
Ms. Kanika Rai, Adv.  
Ms. Pooja Rai, Adv.  
Ms. Bandana Mishra, Adv.  
Mr. Vishnu Shankar Jain, AOR  
Ms. Vaishnavi Ranjana, Adv.  
Mr. Pankaj Kumar Verma, Adv.

Mr. Bhavanishankar V. Gadnis, Adv.  
Mr. Vishwanath B. Gadnis, Adv.  
Mr. Radni V. Gadnis, Adv.  
Mr. Varinder Kumar Sharma, AOR

Mr. Varinder Kumar Sharma, AOR  
Mr. Manoj K. Mishra, Adv.  
Mr. Umesh Dubey, Adv.  
Mr. Jyoti Mishra, Adv.  
Mr. P.K. Singh, Adv.  
Mr. Mahendra Singh, Adv.  
Mr. D.K. Mishra, Adv.  
Mr. Vijay Pal, Adv.  
Mr. Shyamal Kumar, Adv.  
Mr. Sunil Kumar Tomar, Adv.  
Mr. Sujeet Kumar, Adv.  
Mr. Bitu Kumar Singh, Adv.  
Mr. Balraj Singh-Malik, Adv.

Mr. Shyam Sunder Gupta, Adv.  
Mr. R.S. Rond, Adv.  
Mr. R.P. Singh, Adv.  
Mr. Ashutosh Sharma, Adv.  
Mr. Shantanu Sharma, Adv.

Dr. P.N. Mishra, Adv.  
Ms. Ranjana Agnihotri, Adv.  
Ms. Sangeeta Mandal, Adv.  
Ms. Swati Singh, Adv.  
Ms. Taruna A. Prasad, Adv.  
Ms. Sukanya Basu, Adv.  
Ms. Shimantika Mandal, Adv.  
Mr. Rajeshwar Nath Mishra, Adv.  
Ms. Swati Singh, Adv.  
for M/s. Fox Mandal & Co., AOR

Mr. Syed Shahid Hussain Rizvi, AOR  
Mr. Zeeshan Rizvi, Adv.  
Mr. Anas Zaidi, Adv.  
Mr. Imtiaz Ahmad, Adv.  
Mr. S. Mansoor Ali, Adv.  
Mr. Rashid Saeed, Adv.  
Mr. Aftab Ali Khan, Adv.  
Mr. M. Tayyab Khan, Adv.  
Mr. Mujeebuddin Khan, Adv.  
Mr. S. Mansoor Ali, Adv.  
Mr. Ali Safeer Farooqi, Adv.  
Mr. Syed Imtiyaz Ali, Adv.  
Mr. Mumtaz Alam Siddiqui, Adv.  
Mr. Sheik Maulali Basha, Adv.

#### For Respondent(s)

Mr. Tushar Mehta, SG  
Ms. Aishwarya Bhati, Sr. Adv.  
Mr. Piyush Beriwal, Adv.  
Ms. Swati Ghildiyal, Adv.  
Mr. Surender Kumar Gupta, Adv.  
Mr. B.V. Balram Das, Adv.  
Mr. B. Krishna Prasad, AOR

Mr. Tushar Mehta, SG  
Mr. Raghvendra Singh, Sr. Adv./Adv. Gen.  
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UPON hearing the counsel the Court made the following  
O R D E R

Arguments concluded.

Judgment reserved.

The parties may submit written notes on 'moulding of relief' within three days.

  
(Deepak Guglani)  
Court Master

  
(Anand Prakash)  
Court Master

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IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.10866-10867 OF 2010

M SIDDIQ (D) THR LRS.

...APPELLANT(S)

VERSUS

MAHANT SURESH DAS & ORS.

...RESPONDENT(S)

WITH

CIVIL APPEAL NOS 4768-4771 OF 2011

CIVIL APPEAL NO 2636 OF 2011

CIVIL APPEAL NO 821 OF 2011

CIVIL APPEAL NO 4739 OF 2011 (@ SLP (C) NO.15152 OF 2011)

CIVIL APPEAL NOS 4905-4908 OF 2011  
(@ SLP (C) NOS.7815-7818 OF 2011)

CIVIL APPEAL NO 2215 OF 2011

CIVIL APPEAL NO 4740 OF 2011

CIVIL APPEAL NO 2894 OF 2011

CIVIL APPEAL NO 6965 OF 2011

CIVIL APPEAL NO 4192 OF 2011

CIVIL APPEAL NO 5498 OF 2011

CIVIL APPEAL NO 7226 OF 2011

CIVIL APPEAL NO 8096 OF 2011

DECREE DISPOSING OF THE APPEALS  
WITH DIRECTIONS AND PARTIES ARE LEFT  
TO BEAR THEIR OWN COSTS.

Dated this the 9<sup>th</sup> day of November, 2019.

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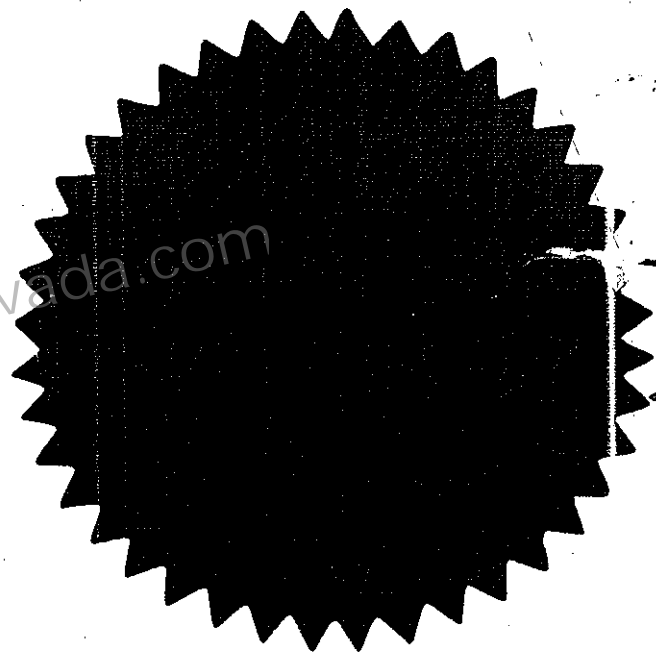
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M/27.05.2020

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