

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

Petition for Special Leave to Appeal (C) No.29190/2024

[Arising out of impugned final judgment and order dated 27-08-2024 in WA No. 100006/2022 passed by the High Court of Karnataka Circuit Bench at Dharwad]

PASCHIM VIBHAG SHIKSHANA MANDAL

Petitioner(s)

VERSUS

THE PASCHIM VIBHAG SHIKSHANA MANDAL & ANR.

Respondent(s)

IA No. 91064/2025 - EXEMPTION FROM FILING O.T.

IA No. 91063/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 51127/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 21-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) :Mr. Anand Sanjay M Nuli, Sr. Adv.
M/S. Nuli & Nuli, AOR
Ms. Akhila Wali, Adv.
Mr. Abhishekh Singh, Adv.

For Respondent(s) :Mr. Gagan Gupta, Sr. Adv.
Mr. Anuj Udupa, Adv.
Mr. Akshay Amritanshu, AOR
Mr. Sarthak Srivastava, Adv.

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

1. We have heard learned Senior counsel appearing for the petitioner as well as for the respondent.

2. The present Special Leave Petition is nothing but a dispute between two groups. While one group seeks to uphold the change in status to that of a Society, the other seeks to continue as a Trust. It would be sufficient

to observe that, as of now, the Society has come into existence.

3. On a perusal of the impugned judgment of the Division Bench, we find that the directions issued with respect to the use of the same name, and the consequential administrative action entrusted to the statutory authority, cannot be sustained in the eye of law, especially when the Division Bench itself has observed that these issues will have to be adjudicated in accordance with the provisions of the Act.

4. In our considered view, the principal question that falls for consideration is to the validity of the resolution that led to the registration of the Society. Suffice it to say that, as of now, the Society has been formed.

5. In said view of the matter, we are inclined to set aside the judgment of the Division Bench with respect to the finding that the Trust and the Society can use the same name as well as the observations conferring jurisdiction upon the statutory authority. The parties are at liberty to file their respective suit in respect of all other issues before the jurisdictional Court within a period of six weeks from the date of receipt of a copy of this order.

6. Inasmuch as we have held that the parties are at liberty to avail themselves of the civil remedy, any observations made by the Division Bench shall not stand in

the way of the Civil Court on considering the issues afresh.

7. The Special Leave Petition is disposed of, accordingly.

8. Pending application(s), if any, shall stand disposed of.

(KRITIKA TIWARI)
COURT MASTER (SH)

(POONAM VAID)
ASSISTANT REGISTRAR