CORRECTED

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2026
(@ SLP(C) No.35127/2025)

LOKESH KUMAR SINGHAL **APPELLANT(S)**

VERSUS

NAVEEN PORWAL & ORS. **RESPONDENT(S)**

O R D E R

1. **Leave granted.**
2. **The present appeal is filed assailing the order of the High Court dated 07.11.2025, in MCC Application No. 10511 of 2025 in Appeal from Order No. 208 of 2016, wherein, an application was preferred by one Shri Rajesh Painuli, the present receiver of the respondent No.5 – Trust, for filling up the coram by appointing two persons as receivers in the 'panel of receivers'. The High Court, vide the impugned order dated 07.11.2025, instead of filling up the coram, appointed Shri Badrinath and Shri Kedarnath Temple Committee (for short, the 'BKTC') as the receiver of the respondent No.5 – Trust. Aggrieved by the same, the appellant is before this Court.**
3. **We have heard the learned Senior Counsel appearing for the appellant and the learned counsel appearing for the**

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Digitally signed by SWETA BALODI
Date: 2026.01.28 15:37:37 IST
Reason:

respondents.

4. **The short question for consideration is as to whether the High Court can grant a relief which has not even been sought for by the parties. In fact, in the application filed by the present receiver, he sought for addition of two more receivers in the panel for filling the coram. However, the High Court has appointed BKTC as a receiver for respondent No.5 - Trust.**

5. **Though, the learned Senior counsel appearing for the appellant raised an issue on the likelihood of bias, inasmuch as we are remitting the matter to the High Court for fresh consideration to decide by some other Bench, we are not inclined to go into the said issue. Suffice it is to state, that the High Court has exceeded its jurisdiction in passing the impugned order by granting a relief which has not even been sought for by the appellant. Besides this, no arguments in this regard have been made by him.**

6. **In such view of the matter, the impugned order stands set aside by making a request to the Hon'ble Chief Justice of the High Court of Uttarakhand to assign this matter to any other Hon'ble Judge to decide the MCC Application No.10511/2025 on its merits, in accordance with the law, after affording an opportunity of hearing to the parties concerned within a period of three months from the date of receipt of a copy of this order.**

7. **We make it clear that BKTC is impleaded as party only for the**

purpose of hearing them in the present appeal filed assailing the impugned order. Thus, we make it clear that the BKTC shall not be a party to the proceedings before the High Court. However, all the issues which are to be raised are left open for adjudication by the High Court.

8. **We also take note of the fact that respondent Nos.13 and 14 are no more, and there is no need to implead their legal representatives, since this order is only limited to remitting the matter to the High Court. In any case, they are the trustees of the respondent No.5 - Trust. Thus, the fresh trustee(s) can be impleaded. Therefore, it is open for the High Court to take a call on the issue of new trustees representing legal representatives of deceased respondent Nos.13 and 14.**

9. **The appeal stands disposed of, accordingly.**

10. **Pending application(s), if any, shall also stand disposed of.**

……J.
[M.M. SUNDRESH]

……J.
[PRASANNA B. VARALE]

NEW DELHI;
19th NOVEMBER, 2026

IN THE SUPREME COURT OF INDIA

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(@ SLP(C) No.35127/2025)

LOKESH KUMAR SINGHAL **APPELLANT(S)**

VERSUS

NAVEEN PORWAL & ORS. **RESPONDENT(S)**

O R D E R

11. **Leave granted.**

12. **The present appeal is filed assailing the order of the High Court dated 07.11.2025, in MCC Application No. 10511 of 2025 in Appeal from Order No. 208 of 2016, wherein, an application was preferred by one Shri Rajesh Painuli, the present receiver of the respondent No.6 – Trust, for filling up the coram by appointing two persons as receivers in the 'panel of receivers'. The High Court, vide the impugned order dated 07.11.2025, instead of filling up the coram, appointed Shri Badrinath and Shri Kedarnath Temple Committee (for short, the 'BKTC') as the receiver of the respondent No.6 – Trust. Aggrieved by the same, the appellant is before this Court.**

13. **We have heard the learned Senior Counsel appearing for the appellant and the learned counsel appearing for the respondents.**

14. **The short question for consideration is as to whether the High Court can grant a relief which has not even been sought for by the parties. In fact, in the application filed by the present receiver, he sought for addition of two more receivers in the panel for filling the coram. However, the High Court has appointed BKTC as a receiver for respondent No.6 - Trust.**

15. **Though, the learned Senior counsel appearing for the appellant raised an issue on the likelihood of bias, inasmuch as we are remitting the matter to the High Court for fresh consideration to decide by some other Bench, we are not inclined to go into the said issue. Suffice it is to state, that the High Court has exceeded its jurisdiction in passing the impugned order by granting a relief which has not even been sought for by the appellant. Besides this, no arguments in this regard have been made by him.**

16. **In such view of the matter, the impugned order stands set aside by making a request to the Hon'ble Chief Justice of the High Court of Uttarakhand to assign this matter to any other Hon'ble Judge to decide the MCC Application No.10511/2025 on its merits, in accordance with the law, after affording an opportunity of hearing to the parties concerned within a period of three months from the date of receipt of a copy of this order.**

17. **We make it clear that BKTC is impleaded as party only for the purpose of hearing them in the present appeal filed assailing**

the impugned order. Thus, we make it clear that the BKTC shall not be a party to the proceedings before the High Court. However, all the issues which are to be raised are left open for adjudication by the High Court.

18. **We also take note of the fact that respondent Nos.13 and 14 are no more, and there is no need to implead their legal representatives, since this order is only limited to remitting the matter to the High Court. In any case, they are the trustees of the respondent No.6 - Trust. Thus, the fresh trustee(s) can be impleaded. Therefore, it is open for the High Court to take a call on the issue of new trustees representing legal representatives of deceased respondent Nos.13 and 14.**

19. **The appeal stands disposed of, accordingly.**

20. **Pending application(s), if any, shall also stand disposed of.**

……J.
[M.M. SUNDRESH]

……J.
[PRASANNA B. VARALE]

NEW DELHI;
19th NOVEMBER, 2026

R E V I S E D

ITEM NO.16 COURT NO.3 SECTION III-A

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

Petition(s) for Special Leave to Appeal (C) No(s). 35127/2025

[Arising out of impugned final judgment and order dated 07-11-2025 in MCCA No. 10511/2025 in Appeal from Order No.208/2016 passed by the High Court of Uttarakhand at Nainital]

LOKESH KUMAR SINGHAL Petitioner(s)

VERSUS

NAVEEN PORWAL & ORS. Respondent(s)

IA No. 42317/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 197571/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 42319/2026 - EXEMPTION FROM FILING O.T.
IA No. 139901/2026 - EXEMPTION FROM FILING O.T.
IA No. 139900/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 19-11-2026 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. Pallav Shishodia, Sr. Adv.
Mr. Prabhoo Dayal Tiwari, Adv.
Mr. Surya Kumar, Adv.
Ms. Shruti Bisht- 3566, AOR

For Respondent(s) Ms. Minakshi Vij- 1090, AOR
Mr. B.D. Jha, Adv.
Ms. Minakshi Vij, Adv.
Ms. Preeti Jha, Adv.
Ms. Yashika Jha, Adv.

Mr. Salman Khurshid, Sr. Adv.
Ms. Lubna Naz, Adv.
Mr. Milan Goyal, Adv.
Mr. Kunal Malik- 3830, AOR

Mr. Irfan Firdous, Adv.
Ms. Manisha Tiwari, Adv.
Ms. Goldy Goyal- 3680, AOR

Mr. Anjani Kumar Mishra, AOR
Mrs. Hardeep Kaur Mishra, Adv.
Mr. Praveen Mishra, Adv.
Mr. Rajesh Kumar Singh, Adv.
Dr. P. N. Mishra, Adv.
Mr. Saurav Sharma, Adv.
Mr. Siddharth Gautam, Adv.
Ms. Nidhi Tripathi, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

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

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

(SWETA BALODI) **(POONAM VAID)**
ASTT. REGISTRAR-cum-PS **ASSISTANT REGISTRAR**

(Corrected signed order is placed on the file)

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S U P R E M E C O U R T O F I N D I A
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ASTT. REGISTRAR-cum-PS **ASSISTANT REGISTRAR**

(Signed order is placed on the file)