

ITEM NO.57

COURT NO.9

SECTION XI

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).20360-20361/2025

[Arising out of impugned final judgment and order dated 12-11-2024 in FAFO No.602/2023 and FAFO No.297/2024 passed by the High Court of Judicature at Allahabad]

NATHURAM SHARMA & ORS.

Petitioner(s)

VERSUS

PANKAJ YADAV & ORS.

Respondent(s)

(FOR ADMISSION and I.R.)

(IA No. 135403/2025 - EXEMPTION FROM FILING O.T.

IA No. 135402/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No.283184/2026 - APPLICATION FOR IMPELADMENT)

Date : 25-09-2026 These matters were called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) Mr. Huzefa Ahmed, Sr. Adv.
Mr. Shishir Deshpande, AoR
Mr. Kaushal Narayan Mishra, Adv.
Mr. Nilakanta Nayak, Adv.
Mr. Amit Yadav, Adv.
Mr. Dev Dutt Mishra, Adv.

For Respondent(s) Mr. Rakesh Dwivedi, Sr. Adv.
Mr. Siddharth Dave, Sr. Adv.
Mr. V.K. Singh, Sr. Adv.
Ms. Preetika Dwivedi, AoR

Mr. Sanjay Kumar Visen, AoR
Ms. Himani Bhatnagar, Adv.
Mr. Gaurav Maan, Adv.
Mr. Ankush Singh, Adv.

Mr. Samir Ali Khan, Adv.
Mr. Shantanu Krishna, AoR

Ms. Vaishnavi Srivastava, Adv.
Ms. Garima Yadav, Adv.
Mr. Pranjal Sharma, Adv.

Mr. Gaurav Agarwal, Adv.
Mr. Shashank Singh, AoR
Mr. Sanjeet Paliwal, Adv.

O R D E R

Heard Mr. Huzefa Ahmed, learned Senior Counsel for the petitioners and Mr. Rakesh Dwivedi, learned Senior Counsel for the respondents no.1, 2 and 6 along with Mr. Siddharth Dave and Mr. V.K. Singh, learned Senior Counsel.

2. I.A. No.283184 of 2026 for impleadment is allowed. Accordingly, the applicant is impleaded as party respondent. Cause title be amended accordingly. Mr. Sanjay Kumar Visen, learned counsel has entered appearance on behalf of the applicant and the same is taken on record.

3. The present matters were adjourned yesterday to enable the learned counsel for the parties to suggest the name of an Auditor, who may be appointed in the present matters.

4. Today, two separate lists have been provided by the learned Senior Counsel for the parties. However, before there was any deliberation on the said lists, learned Senior Counsel for the respondents no.1, 2 and 6 made a very gracious submission that he is ready to accept one of the Auditors as suggested by the learned Senior Counsel for the petitioners i.e., M/s Rupesh Goyal and Co. (203-204, D-5, Avadh Complex, Laxmi Nagar, Delhi-110092, Email: romgoyal@gmail.com).

5. Having regard to the aforesaid and the fact that basically, these present petitions are with regard to the interim arrangement, which will continue till the main Suit is decided by the Trial Court, we appoint M/s Rupesh Goyal and Co. (203-204, D-5, Avadh Complex, Laxmi Nagar, Delhi-110092, Email: romgoyal@gmail.com) as the Auditor for the Society in question. The said Auditor would be replacing the already existing Auditor namely, Manoj Jeevan & Associates (GL-1, Shrishti Apartment Kherapati Road, Gwalior, M.P.-474002). The Auditor would independently go into all the relevant materials and conduct the audit for the current financial year and thereafter, submit its report.

6. However, if during the course of the Suit, any material comes which indicates that there may be some irregularities/fraud committed in the past of a nature which is serious, we leave it to the Trial Court to take a call on that and as required, call upon the Auditor, whom we have appointed today, to audit for those periods also. It is left open to the parties concerned to bring all the materials on record, which may be available to them and also to raise objections, both before the Auditor and the Trial Court, which shall be considered in accordance with law.

7. We indicate that the appointment of the present Auditor by this Court is not a comment on either side or with regard to the *bona fide* of the Auditor, who has been replaced.

8. Learned Senior Counsel for the parties jointly pray that the Trial Court may also direct for the Suit to be expedited.

9. We find such request to be reasonable. Accordingly, a direction is issued to the Trial Court to expedite the trial and

complete the same, preferably within one year from today.

10. It shall be open to the parties concerned to file any petition they desire before the Trial Court, which shall be considered on its own merits.

11. With the aforesaid observation, these present Special Leave Petitions stand disposed of.

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

(SAPNA BISHT)
COURT MASTER (SH)

(ANJALI PANWAR)
ASSISTANT REGISTRAR