

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(s) for Special Leave to Appeal (C) No(s).12981/2025

[Arising out of impugned final judgment and order dated 24-03-2025 in CR No. 454/2021 passed by the High Court of Madhya Pradesh at Indore]

KHASGI (DEVI AHILYA BAI HOLKAR CHARITIES) TRUST Petitioner(s)

VERSUS

VIJAYA & ORS. Respondent(s)

IA No. 116277/2025 - EXEMPTION FROM FILING O.T.

IA No. 149446/2026 - EXEMPTION FROM FILING O.T.

IA No. 149445/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

Date : 11-08-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :Mr. Sumeet Samvatsar, Adv.
Mr. Nitin Tambwekar, Adv.
Mr. Kaustubh Fadnis, Adv.
Mr. Seshatalpa Sai Bandaru, AOR

For Respondent(s) :Mr. Puneet Jain, Sr. Adv.
Ms. Christi Jain, AOR
Ms. Akriti Sharma, Adv.
Mr. Om Sudhir Vidyarthi, Adv.
Mr. Aditya Jain, Adv.
Mr. Siddharth Jain, Adv.
Mr. Yogit Kamat, Adv.

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

1. This petition arises from the order passed by the High Court of Madhya Pradesh dated 24.03.2025 by which the Civil

Revision Application preferred by the respondents before us (original defendants) came to be allowed and, thereby, the plaint of the suit instituted by the petitioner-Trust before us came to be rejected under Order VII Rule 11 of the Civil Procedure Code, 1908 on the ground that the suit is not maintainable in view of the specific bar of Section 32 of the M.P. Public Trusts Act, 1951 (for short, "the Act, 1951").

2. It appears that Section 36(1)(a) of the Act, 1951 was pressed into service by the plaintiff-Trust.

3. Section 36 of the Act, 1951 provides for an exemption. Section 36 reads thus:-

"Section 36. Exemption.- (1) Nothing contained in this Act shall apply to-

(a) A public Trust administered by an agency acting under the control of the State or by any local authority."

4. However, the finding of fact recorded by the High Court is that the registration of the Trust was not valid and, therefore, Section 36 would not save the situation.

5. The learned counsel would submit that now the Trust has obtained a valid registration.

6. If that be so, it shall be open for the petitioner-Trust to proceed further by availing any appropriate legal remedy available to it in law on the basis of the fresh registration.

7. With the aforesaid, the Special Leave Petition stands disposed of.

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

(HARPREET KAUR)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)