

2025 LiveLaw (SC) 817

IN THE SUPREME COURT OF INDIA

AHSANUDDIN AMANULLAH; J., S.V.N. BHATTI; J.

Petition(s) for Special Leave to Appeal (Crl.) No(s).11285/2025; 19-08-2025

MAHANT BHAWANI NANDAN GIRI *versus* STATE OF UTTARAKHAND & ANR.

Practice and Procedure - Interim Arrangement for temple management (Maa Chandi Devi Temple) - Supreme Court remands the matter to High Court & directs Collector, Haridwar to conduct a personal inquiry into the management of the Math and submit a report to the High Court - Interim arrangement made by High Court to remain in effect - Remanded matter to High Court. [Paras 7-10]

[Arising out of impugned final judgment and order dated 25-06-2025 in ABA No.692/2025 passed by the High Court of Uttarakhand at Nainital]

For Petitioner(s) Mr. Siddhartha Dave, Sr. Adv. Mr. Sahil Modi, Adv. Mr. Rohan Trivedi, Adv. Mr. Ashwani Kumar Dubey, AOR Mr. Gaurav Aggarwal, Sr. Adv. Mr. Neeraj Garg, Adv. Mr. Anmol Kheta, Adv. Ms. Tanya Srivastava, AOR

For Respondent(s) Mr. Mukesh Sharma, Adv. Dr. Dinesh Sharma, Adv. Mr. D.S. Badiar, Adv. Mr. Yashwant Kumar, Adv. Mr. Rameshwar Prasad Goyal, AOR Mr. Sanjay Hegde, Sr. Adv. Ms. Suveni Bhagat, AOR Mr. Satya Kam Sharma, AOR Mr. Ashish Kumar, Adv. Mr. Manish Goswami Sr., Adv. Mr. Dinesh Sharma, Adv. Mr. Sunny Verma, Adv. Mr. Rajan Kumar Prasad, Adv. Mr. Rajbeersingh Attri, Adv. Mr. Sanjay Yadav, Adv. Mr. Ravi Kumar Tomar, AOR

ORDER

Heard learned senior counsel for the parties.

2. Permission to file the Special Leave Petition in SLP(C) Diary No.44759 of 2025 is granted.

3. The intervention applications filed by the Badrinath Kedarnath Temple Committee (for short, the “BKTC”) and Rohit Giri are allowed and all concerned have been heard.

4. The challenge to the impugned order dated 25.06.2025 passed by the High Court was restricted to the interim arrangement made by the High Court with regard to managing of the affairs of the Math in question. By the said impugned order, the BKTC was asked to oversee the affairs of the temple and appoint a Receiver, till the matter was not finally decided by the High Court. Such direction as contained in paragraph no.18 of the impugned order, is quoted hereinbelow: -

“18. In such view of the matter, till the investigation is completed, the existing Trust shall continue but the existing Trust will act under the direct control and supervision of Badrinath Kedarnath Temple Committee (in short BKTC) and for that purpose, the District Administration is directed to provide full assistance to the Badrinath Kedarnath Temple Committee (in short BKTC). Apart from this Badrinath Kedarnath Temple Committee (in short BKTC) is directed to appoint “Receiver” immediately. Furthermore, since the investigation is going on in such an eventuality, applicant and complainant are restrained from interfering in day-to-day affairs of the Managing Trust of Maa Chandi Devi Temple.”

5. By our earlier order dated 28.07.2025, we had requested the respondent no.1-State to submit details of the up-to-date investigation in the matter in a sealed cover and the same has been done today. Though, we had opened the sealed cover, but we find that it may not be very relevant to the present *lis* for the reason that the details of investigation carried out by the investigating agency/Police was with regard to the criminal case, which is not an issue involved before us. The sealed cover report, has thus, been returned to the learned counsel for the State after resealing the same.

6. Having considered the rival submissions, on a suggestion of the Court with regard to the terms on which the present matter may be disposed of, there is consensus between the parties.

7. Accordingly, the present petitions stand disposed of with a direction to the Collector, Haridwar, Uttarakhand to conduct a personal inquiry with regard to the management of the Math in question, after hearing all the parties concerned, including those, who have been heard in the present proceedings. He would take into consideration the overall situation and is also free to involve in the investigation other parties, which may not be presently before us so as to get an overall and more broad-based response with regard to the actual situation on the ground and then, he is also at liberty to suggest what should be the interim arrangement with regard to managing of the affairs of the Math, till the matter is finally decided by the High Court. He shall focus on the best interest for the Math and its devotees. The report shall be submitted to the High Court in the pending proceeding.

8. Accordingly, the matter is disposed of by remanding it back to the High Court without disturbing the interim arrangement.

9. As we have been informed that the matter is listed tomorrow i.e., 20.08.2025, the parties shall bring to the notice of the Court the present order and the High Court is requested to adjourn the matter by six weeks to await the report of the Collector. The High Court is further requested to implead person(s), who may not be the party before the High Court and have been heard in the present matter. The High Court is further requested to take up the matter on priority and finally, decide the issue so that a permanent/regular arrangement is put into place rather than an adhoc arrangement. In terms of direction in the impugned order with regard to interim arrangement, learned senior counsel for the BKTC has informed this Court that the BKTC has already started supervising the affairs of the Math in question. It shall also submit an up-to-date report to the High Court on the adjourned date and shall keep on submitting periodic updated reports to the High Court in the matter.

10. We also indicate that for the present, we have not expressed any opinion with regard to the merits of the matter. It shall also be open to the parties to seek any modification, which they may require in the facts and circumstances of the case in the overall interest of the Math and the devotees who visit the Math. However, this should not be construed to mean that the matter be kept pending at the High Court for long.

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