

IN THE SUPREME COURT OF INDIA CIVIL APPELLATE JURISDICTION

Civil Appeal Nos 10866-10867 of 2010

M Siddiq (D) Thr Lrs ...Appellants

Versus

Mahant Suresh Das & Ors ...Respondents

Suit 1: Gopal Singh Visharad

Suit 3: Nirmohi Akhara

Suit 4: Sunni Central Waqf Board

Suit 5: The deities

Operative portion of the Judgment at Page 925

Q. Reliefs and directions

805. We accordingly order and direct as follows:

- 1 (i) Suit 3 instituted by Nirmohi Akhara is held to be barred by limitation and shall accordingly stand dismissed;

(ii) Suit 4 instituted by the Sunni Central Waqf Board and other plaintiffs is held to be within limitation. The judgment of the High Court holding Suit 4 to be barred by limitation is reversed; and

(iii) Suit 5 is held to be within limitation.
- 2 **Suit 5 is held to be maintainable at the behest of the first plaintiff who is represented by the third plaintiff.** There shall be a decree in terms of prayer clauses (A) and (B) of the suit, subject to the following directions:
 - (i) **The Central Government shall, within a period of three months from the date of this judgment, formulate a scheme** pursuant to the powers vested in it under Sections 6 and 7 of the Acquisition of Certain Area at Ayodhya Act 1993. **The scheme shall envisage the setting up of a trust with a Board of Trustees** or any other appropriate body under Section 6. The scheme to be framed by the **Central Government shall make necessary provisions in regard to the functioning of the trust or body including on matters relating to the management of the trust, the powers of the trustees including the construction of a temple** and all necessary, incidental and supplemental matters;

- (ii) **Possession of the inner and outer courtyards shall be handed over to the Board of Trustees of the Trust** or to the body so constituted. The Central Government will be at liberty to make suitable provisions in respect of the rest of the acquired land by handing it over to the Trust or body for management and development in terms of the scheme framed in accordance with the above directions; and
- (iii) **Possession of the disputed property shall continue to vest in the statutory receiver under the Central Government, until** in exercise of its jurisdiction under Section 6 of the Ayodhya Act of 1993, **a notification is issued vesting the property in the trust** or other body.
- 3 (i) **Simultaneously, with the handing over of the disputed property to the Trust or body under clause 2 above, a suitable plot of land admeasuring 5 acres shall be handed over to the Sunni Central Waqf Board, the plaintiff in Suit 4.**
- (ii) The land shall be allotted either by: (a) The Central Government out of the land acquired under the Ayodhya Act 1993; or (b) The State Government at a suitable prominent place in Ayodhya; The Central Government and the State Government shall act in consultation with each other to effectuate the above allotment in the period stipulated.
- (iii) **The Sunni Central Waqf Board would be at liberty, on the allotment of the land to take all necessary steps for the construction of a mosque on the land so allotted together with other associated facilities;**
- (iv) Suit 4 shall stand decreed to this extent in terms of the above directions; and
- (v) **The directions for the allotment of land to the Sunni Central Waqf Board in Suit 4 are issued in pursuance of the powers vested in this Court under Article 142 of the Constitution.**
- 4 In exercise of the powers vested in this Court under Article 142 of the Constitution, we direct that in the scheme to be framed by the Central Government, **appropriate representation may be given in the Trust or body, to the Nirmohi Akhara in such manner as the Central Government deems fit.**
- 5 **The right of the plaintiff in Suit 1 to worship at the disputed property is affirmed** subject to any restrictions imposed by the relevant authorities with respect to the maintenance of peace and order and the performance of orderly worship.
- 806. All the appeals shall stand disposed of in the above terms. Parties are left to bear their own costs.**

CJI. [RANJAN GOGOI]

J. [S A BOBDE]

J. [DR DHANANJAYA Y CHANDRACHUD]

J. [ASHOK BHUSHAN]

J. [S ABDUL NAZEER]

New Delhi; November 09, 2019

One of the judges , while being in agreement with the above reasons and directions, has recorded separate reasons on: —***Whether the disputed structure is the birth-place of Lord Ram according to the faith and belief of the Hindu devotees***". The reasons of the learned judge have been set out in an addendum from pages 930 to 1045.