

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2026
(arising out of SLP(C) No. 23958/2023)

VRINDAVAN CHATURVEDI

APPELLANT(S)

VERSUS

PUSHPA DEVI KHEMKA & ORS.

RESPONDENT(S)

O R D E R

1. Leave granted.
2. We find that the Division Bench of the High Court of Madhya Pradesh, Principal Seat at Jabalpur, non-suited the appellant, Vrindavan Chaturvedi, in his writ appeal on the ground that though the writ petition filed by the respondents was under Article 226 of the Constitution of India, it should be treated as one filed under Article 227 of the Constitution of India and against such an order, an appeal would not lie.
3. Reliance is sought to be placed by the learned counsel appearing for the respondents to support this view of the High Court by citing the earlier Division Bench judgment of the Madhya Pradesh High Court in *Dangalia vs. Deshraj*¹. However, we note from the said judgment that the Division Bench specifically noted therein that reversal of orders passed by the Revenue Courts could as well be in writ proceedings under Article 226 of the Constitution of India apart from Article

¹(1977) MP series 739

227.

4. It is well settled that the extraordinary jurisdiction and powers of the High Courts under Article 226 of the Constitution of India cannot be scuttled or whittled down by any legislation.
5. Further, Revenue Courts that exercise statutory quasi-judicial powers cannot be equated to or be treated on par with judicial Courts. Validity of orders passed by such Revenue Courts can be tested before the High Court under its writ jurisdiction.
6. In that view of the matter, the understanding of the Division Bench that though the respondents filed a writ petition under Article 226 of the Constitution of India, it should be treated as one filed under Article 227, so as to deny the appellant the appellate remedy of an appeal, cannot be sustained.
7. The impugned order dated 20.07.2023 is set aside and Writ Appeal No. 576/2023 is restored to the file of the High Court to be considered afresh on its own merits and in accordance with law. All issues are left open.
8. The appeal is, accordingly, allowed in the aforestated terms.
9. Pending application(s), if any, shall stand disposed of.

.....J.
(SANJAY KUMAR)

.....J.
(SANJEEV SACHDEVA)

NEW DELHI;
SEPTEMBER 02, 2026.

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 for Special Leave to Appeal (C) No. 23958/2023

[Arising out of impugned final judgment and order dated 20-07-2023 in WA No. 576/2023 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

VRINDAVAN CHATURVEDI

Petitioner(s)

VERSUS

PUSHPA DEVI KHEMKA & ORS.

Respondent(s)

Date : 02-09-2026 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

For Petitioner(s) Mr. Uday Gupta, Sr. Adv.
Ms. Shivani Lal, Adv.
Mr. Madan Singh Thakur, Adv.
Mr. Sourabh Singh Thakur, Adv.
Mr. Hiren Dasan, Adv.
Mr. Ajay Sharma, Adv.
Mr. Unmukt Gera, Adv.
Mr. Rajeev Kumar Gupta, Adv.
Mr. Deepanshu Rana, Adv.
Mr. Priyaranjan Singh, Adv.
Mr. Aaryan Bansal, Adv.
Mr. Abhi Garg, Adv.
Mr. Parminder Singh Bhullar, AOR

For Respondent(s) Mr. Siddharth R. Gupta, Adv.
Mr. Mrigank Prabhakar, AOR
Mr. Mehul Agarwal, Adv.
Mr. Shantanu Sharma, Adv.
Mr. Uddaish Palya, Adv.
Ms. Vishala Dwivedi, Adv.
Ms. Yerradoddi Charvi Reddy, Adv.

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

Leave granted.

The appeal is allowed in terms of the signed order.

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

(BABITA PANDEY)
AR-CUM-PS

(PREETI SAXENA)
COURT MASTER (NSH)
(Signed order is placed on the file)