



FAMILY LAW

The Pataudi Legacy on Trial: Saif Ali Khan, Bhopal Royal Properties, and the Enemy Property Law

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Introduction

The long-dormant embers of a royal inheritance dispute have been reignited with renewed judicial scrutiny. In a landmark decision dated June 30, 2025, the Madhya Pradesh High Court set aside a 24-year-old trial court judgment that had previously recognized Saif Ali Khan, his mother Sharmila Tagore, and sisters Soha and Saba Ali Khan as the lawful heirs to properties estimated to be worth ₹15,000 crore, belonging to the erstwhile royal family of Bhopal. This decision not only revives a high-stakes partition suit but also reasserts the primacy of personal succession laws over customary or royal succession norms in post-colonial India. The ruling aligns with contemporary jurisprudence and heralds a potentially precedent-setting shift in how courts view princely inheritance disputes. The High Court's decision to reopen the case underlines the growing importance of personal succession laws over ceremonial customs and has also triggered legal conversations surrounding the potential applicability of the Enemy Property Act 1968 due to the Pakistani citizenship of one of the Nawab's daughters.

Factual Background

Nawab Mohammad Hamidullah Khan was the last ruling Nawab of Bhopal. He had three daughters, Abida Sultan Sajida Sultan and Rabia Sultan. In 1950 Abida Sultan migrated to Pakistan and joined the Pakistani Foreign Service. Following her departure Sajida Sultan was recognized by the Government of India as the legal successor to the Nawab's private estate through a certificate issued in 1962. These properties subsequently passed to her son Mansoor Ali Khan Pataudi and thereafter devolved to his children Saif Soha and Saba Ali Khan. However, in 1999 other heirs including Begum Suraiya Rashid and Nawab Mehr Taj Sajida Sultan filed partition suits asserting that the Nawab's properties should be distributed under Muslim Personal Law among all legal heirs and not solely inherited by Sajida and her descendants.

Legal Issue and Trial Court Findings

The trial court in Bhopal dismissed the partition suits in February 2000. It held that the royal estate was impartible and inherently linked to the ceremonial gaddi of Bhopal and relied on the 1996 Allahabad High Court ruling in the Talat Fatima Hasan case which had endorsed royal succession norms over personal law in such matters. This formed the foundation of the Pataudi family's uncontested claim until it was challenged before the High Court decades later.

Judicial Reasoning of the Madhya Pradesh High Court

In its 2025 decision, the Madhya Pradesh High Court highlighted that the 2000 trial court ruling was flawed as it was based on a precedent that had been overruled by the Supreme Court in 2019. The Supreme Court in Talat Fatima Hasan vs. Syed Murtaza Ali Khan clarified that personal law must govern the inheritance of private property even for members of former royal families. The High Court held that the earlier trial court failed to consider this legal position and therefore remanded the matter for a fresh trial. It directed the lower court to conclude the proceedings within one year and allowed all parties to present new evidence in light of the changed legal landscape.

Statutory Relevance of the Enemy Property Act

An important but so far indirect legal dimension in the case concerns the applicability of the Enemy Property Act 1968. Since Abida Sultan acquired Pakistani citizenship after migrating in 1950 any property or share in property that she may have inherited could potentially be classified as enemy property. The Act bars citizens of enemy countries and their heirs from claiming any interest in property situated in India. The 2017 amendment to the Act extended this bar to legal heirs and successors and applied the provisions retrospectively. Therefore, if any current claimants in the Bhopal estate assert rights derived through Abida Sultan, those shares may be subject to forfeiture and vesting in the Custodian of Enemy Property. While the Madhya Pradesh High Court has not directly addressed this issue, it may arise during the retrial particularly if succession through Abida is pursued by any party.

Practical and Legal Impact on the Pataudi Family

The High Court's order significantly alters the legal position of the Pataudi family. They must now reassert their claim in open court under Muslim Personal Law rather than rely on historical succession or government-issued certificates. Their previously unchallenged control over the estate now stands subject to partition and reallocation based on personal law principles. They may retain a share but cannot presume exclusive entitlement without judicial affirmation. Additionally, any alienation or transaction involving these properties may now be subjected to legal scrutiny depending on the final partition outcome.

Implications for Other Royal Heirs Across India

This judgment is likely to influence inheritance disputes in other former princely states. It reaffirms that post-accession private properties are not governed by royal customs but by statutory personal laws. Heirs who were previously excluded due to gender, foreign citizenship or traditional practices may now find stronger legal grounds to claim succession. Conversely, properties that would have devolved to heirs who migrated to Pakistan or China may now fall under the purview of the [Enemy Property Act](#), thus eliminating their claim altogether and vesting those properties in the Indian state.

Conclusion

The retrial of the Bhopal royal estate dispute marks a critical juncture in Indian succession law. It reflects the judiciary's commitment to ensuring that historical privileges do not override codified personal law, and that inheritance must be governed by current legal standards. The possible intersection with the Enemy Property Act adds another layer of complexity, particularly in cases where migration and foreign citizenship have occurred. The outcome of this case will not only impact the Pataudi family but could reshape the legal framework surrounding former royal estates throughout India.

As the trial reopens, all eyes will remain fixed on the judicial unraveling of princely legacy, and how the law reconciles tradition with constitutional modernity.

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