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**WHEN ROYAL LEGACY MEETS MODERN LAW: SAIF ALI KHAN'S  
ANCESTRAL PROPERTY SAGA**

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**Abstract**

The intersection of royal heritage and modern legal frameworks has taken center stage in the recent property dispute involving Bollywood actor Saif Ali Khan and the royal estate of the former princely state of Bhopal. In a case that spans generations and political borders, the Madhya Pradesh High Court has overturned a 2000 Bhopal trial court ruling that had recognized Saif Ali Khan, his mother Sharmila Tagore, and their family as legal heirs to the estate of Begum Sajida Sultan, daughter of Nawab Hamidullah Khan the last ruling Nawab of Bhopal. The properties in question, including the Noor Us Sabah Palace and Flag Staff House, are estimated to be worth over ₹15,000 crore.<sup>2</sup>

At the heart of the legal dispute are two key issues: succession under *Muslim Personal Law* and the application of the *Enemy Property Act, 1968*. On one hand, rival family members have filed partition suits, arguing that the property cannot be inherited exclusively by Sajida Sultan's descendants and must be equitably divided among all legal heirs of the Nawab's extended lineage. On the other hand, the Indian government, through the Custodian of Enemy Property, has claimed parts of the estate as "enemy property," citing Abida Sultan's migration to Pakistan in 1950 and her subsequent citizenship there.

Saif Ali Khan had earlier secured a temporary stay in 2015 to halt the property's reclassification, but the High Court lifted this in December 2024, effectively reviving the state's claim. This abstract explores the complex legal dimensions of the case where

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<sup>2</sup> "Royal Family Dispute in Bhopal Over ₹15,000 Crore Estate," *INDIA TODAY* (June 30, 2025), <https://www.indiatoday.in>.

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inheritance law, constitutional interpretation, and the legacies of partition converge making it not only a family dispute but also a broader commentary on how postcolonial legal frameworks continue to reshape royal entitlements in contemporary India.

### **Introduction: Royal Heritage Under Scrutiny**

In a stunning development, the Madhya Pradesh High Court has overturned a landmark trial court ruling affirming Saif Ali Khan and his family as heirs to a sprawling royal estate estimated at ₹15,000 crore, triggering a legal reset. The properties, including the iconic Noor-Us-Sabah Palace and Flag Staff House in Bhopal, belonged to the last Nawab of Bhopal, Hamidullah Khan.<sup>3</sup> Though long celebrated as Pataudi heritage, they are now subject to a retrial and potentially reclassified under India's Enemy Property Act.<sup>1</sup>

This turn of events not only challenges the legal standing of Saif Ali Khan's family but also reopens deep-rooted questions about princely succession, partition-era migrations, and the state's role in regulating abandoned or disputed properties. The case brings into focus the tangled interplay of personal law, lineage, and state authority in post-colonial India. With descendants of other royal family branches contesting the exclusive inheritance under *Muslim Personal Law*, and the state invoking national security legislation, the saga now extends far beyond a family dispute. It represents the legal and emotional unraveling of a legacy once thought secure, underscoring how dynastic titles and palaces, however grand, remain vulnerable to the shifting sands of law and history.

### **Historical Roots: The Bhopal Royal Inheritance**

The dispute originates from Partition-era upheavals. Nawab Hamidullah Khan's eldest daughter, Abida Sultan, migrated to Pakistan in 1950, renouncing her Indian citizenship. His second daughter, Sajida Sultan, Saif's grandmother, remained in India, succeeding as the legal heir. She married Nawab Iftikhar Ali Khan Pataudi, establishing the Pataudi-Bhopal lineage. Mansoor Ali Khan Pataudi (Saif's father) inherited the estates through his mother. Upon her passing in 1995, the family's claim to these historic assets stood firm until now.<sup>2</sup>

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<sup>3</sup>Saif Ali Khan's Legal Battle Over Royal Property Faces Setback in High Court, "THE TIMES OF INDIA (July 3, 2025), <https://timesofindia.indiatimes.com>.

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### The Long Legal Battle: Succession vs. State Claim

The legal dispute over Saif Ali Khan's ancestral properties is a prime example of how personal succession rights, religious inheritance laws, and national interest laws like the Enemy Property Act can clash in Indian courts. At the heart of the matter lies a royal estate, once belonging to the princely family of Bhopal, and now entangled in a two-pronged legal conflict: one over rightful succession among family members and the other between the heirs and the Indian state.

In 2000, a district court in Bhopal recognized actor Saif Ali Khan, his mother Sharmila Tagore, and his siblings as legal successors of Begum Sajida Sultan the last recognized holder of the royal estate. The court's recognition was based on principles of succession and personal law applicable to the family. Sajida Sultan was the second daughter of Nawab Hamidullah Khan, the last ruling Nawab of Bhopal. After the death of her elder sister, Abida Sultan, who had migrated to Pakistan in 1950 and become a citizen there, Sajida was seen as the natural heir. However, this inheritance was soon challenged by other descendants of the Bhopal royal family.

Suraiya Rashid, the granddaughter of Nawab Hamidullah's elder brother, filed a partition suit claiming that under *Muslim Personal Law*, the estate should have been divided among all legal heirs of the larger royal family not solely inherited by Sajida Sultan and her descendants. The core of this dispute was whether the property was self-acquired or ancestral, and whether it should have been subject to division under Islamic inheritance law, which mandates specific shares for various classes of heirs.

While the family feud simmered in the background, another challenge emerged from the state this time invoking the *Enemy Property Act, 1968*. In 2014, the Custodian of Enemy Property, a central government authority, issued a notification designating large portions of the royal estate as "enemy property."<sup>4</sup> This classification stemmed from the fact that Abida Sultan, Sajida's elder sister and the firstborn of Nawab Hamidullah, had migrated to Pakistan and was deemed to have aligned with an enemy nation under Indian law.

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<sup>4</sup> Enemy Property Act, No. 34 of 1968, Acts of Parliament, 1968 (India).

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Saif Ali Khan challenged this classification and was initially granted a temporary stay by the court in 2015, allowing him to retain possession and usage rights over parts of the estate. However, in a significant setback, the Madhya Pradesh High Court lifted the stay in December 2024 and dismissed Saif's plea. The court found the Custodian's declaration legally valid, given that Abida Sultan's Pakistani citizenship triggered the application of the Enemy Property Act even though she had never exercised ownership over the estate in India post-partition.

Thus, Saif's claim is now compromised on two fronts: internally, due to contesting family members asserting partition rights under Muslim Personal Law, and externally, due to the state's invocation of national security statutes to classify the property as "enemy property." This rare confluence of personal law, succession, and state interest has turned a royal inheritance into a complex, multi-layered legal battleone that reflects both the fragility of princely legacies in modern India and the evolving interpretation of property rights in post-partition jurisprudence.

### **High Court's Ruling: A Judicial U-turn**

On June 30, 2025, Justice Sanjay Dwivedi nullified the 2000 verdict, citing reliance on an outdated Allahabad High Court judgment overruled by the Supreme Court in 2020. The MP High Court remanded both partition suits and inheritance claims for a fresh trial, instructing completion within a year.<sup>5</sup>

The estates affected include Noor-Us-Sabah Palace, Flag Staff House, Ahmadabad Palace, Dar-us-Salam, and others in Bhopal and Raisen.<sup>6</sup>

### **Broader Legal Context: Enemy Property Law and Royal Lineages**

First enacted in 1968, the Enemy Property Act allows India to seize assets of people who migrated to "enemy" countries post-Partition or during wars.<sup>8</sup> Once vested, these assets

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<sup>5</sup>Apoorva Mandhani, *Explained: Saif Ali Khan's Ancestral Property Dispute & The Enemy Property Act*, *THE PRINT* (Dec. 12, 2024), <https://theprint.in/india/explained-saif-ali-khans-ancestral-property-dispute-the-enemy-property-act/1861427/>.

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cannot be reclaimed by heirseven if they are Indian citizens. Saif's case exemplifies this tension between heritage and statute.<sup>6</sup>

## Precedent Cases

### i. **Kailash vs. Nanhku & Ors.**<sup>7</sup>

**Citation:** (2005) 4 SCC 480

- **Issue:**

*Can procedural lapses defeat the ends of justice? Should minor delays or technical errors derail substantive rights?*

- **Facts:**

This case revolved around the timely filing of an election petition. A delay occurred, not due to the petitioner's fault, but because the court registry failed to act promptly. The opposite party sought dismissal on technical grounds.

- **Conclusion:**

The Supreme Court held that **procedural laws are meant to serve justice, not obstruct it**. The Court emphasized that unless delay causes serious prejudice, justice should not be sacrificed at the altar of procedure.

"The procedural law should not be allowed to defeat justice," it noted a principle that resonates with cases where administrative delays or unclear rules (like in Saif's) shouldn't deny rightful hearing or remedy.<sup>8</sup>

### ii. **Union of India vs. Raja Mohammed Amir Mohammad Khan**<sup>9</sup>

**Citation:** (2005) 8 SCC 696

- **Issue:**

*What happens to the property of a person who migrated to Pakistan? Can the state*

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<sup>6</sup>*Enemy Property: Explained*, PRS Legislative Research (Apr. 2017), <https://prsindia.org/policy/vital-stats/enemy-property-amendment>.

<sup>7</sup>*Indian Kanoon – Kailash v. Nanhku*

<sup>8</sup><https://indiankanoon.org/doc/1090329/>.

<sup>9</sup>*Indian Kanoon – Raja Mohammed Amir Mohammad Khan*

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*permanently seize it under the Enemy Property Act even if the property was never abandoned?*

- **Facts:**

The Nawab of Mahmudabad had migrated to Pakistan but continued to engage with his Indian properties and even visited India. His son, an Indian citizen, claimed rightful inheritance of those properties. The government declared them “enemy property.”

- **Conclusion:**

The Supreme Court ruled **in favor of the Nawab’s son**, holding that the *Enemy Property Act* could not apply simply due to migration, especially where no hostile intent was established. The property couldn’t be deemed enemy-owned if inherited by a non-enemy successor.

This precedent offers a parallel to Saif’s situation, where *Abida Sultan’s migration* is central, but her descendants are Indian citizens.

### iii. Custodian of Enemy Property for India vs. State of West Bengal<sup>10</sup>

**Citation:** (2010) 6 SCC 677

- **Issue:**

*Can state authorities transfer or interfere with properties classified under the Enemy Property Act without central approval?*

- **Facts:**

This case questioned whether the State of West Bengal could override the Custodian’s authority over land declared as enemy property. There were also disputes about leases and possession rights.

- **Conclusion:**

The Supreme Court clarified that **only the central government and the Custodian had jurisdiction** over enemy properties. States could not sell, lease, or interfere with these without express permission. The ruling underlines that **once property is designated as “enemy,” its status**

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<sup>10</sup>[Indian Kanoon – Custodian v. West Bengal](#)

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becomes subject to strict central control a critical factor in Saif Ali Khan's battle, where the Custodian's declaration reshaped ownership rights.

### **Conclusion: Heritage in the Balance of Law**

As Saif Ali Khan's family braces for a retrial, the case underlines how Partition-era legal frameworks continue to shape modern inheritance in India. Royal legacy, emotional value, and legal precedent now collide at the trial courts of Bhopal.

Whether Saif and his siblings reclaim their ancestral estates or whether they remain in government hands this story speaks to a larger narrative: how laws, migration, and family histories merge in the courtroom.

Equally striking is how the case underscores the evolving role of personal law. With rival heirs invoking Muslim Personal Law to challenge exclusive inheritance claims, the matter is now as much about what defines rightful family succession as it is about property. Legal heirs, who once lived in shared history, are now divided by legal interpretations and state classifications.

This is more than a courtroom battle; it's a reminder of how unresolved legacies of partition continue to shape identities and entitlements today. For Saif, the loss is symbolic as much as material: a piece of family history that now lies entangled in legal red tape. The verdict may yet shift again, but the emotional toll of such legal ambiguity lingers long after the judgment.

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