

SUPREME COURT OF GUAM

Kamlesh K. Hemlani, individually and derivatively in the name of
and on behalf of Radhi Puran Trust v. Manu & Anita Melwani

2025 Guam 12 · No. CVA24-013 · Decided December 19, 2025

SUMMARY

The Supreme Court of Guam reviews the third appeal arising from a longstanding dispute concerning the Radhi Puran Trust. The court addresses collateral estoppel regarding the Trust’s beneficiary, the removal of Kamlesh Hemlani as co-trustee based on an adverse interest and hostility, and the propriety of summary judgment. It affirms in part, reverses in part, and remands for further proceedings.

CASE DETAILS

COURT	Supreme Court of Guam
WRITING FOR THE COURT	Robert J. Torres, Chief Justice; F. Philip Carbullido, Associate Justice; Katherine A. Maraman, Associate Justice
JURISDICTION	Guam
DECIDED	December 19, 2025
DOCKET	CVA24-013
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Kamlesh appealed a Superior Court final judgment granting summary judgment for the defendants, determining that the Foundation was the Trust’s beneficiary and removing Kamlesh as successor co-trustee.
STANDARD OF REVIEW	Summary judgment is reviewed de novo. Collateral estoppel availability is reviewed de novo and its application is reviewed for abuse of discretion. Trust-instrument interpretation is reviewed de novo. Trustee removal is reviewed de novo for factual disputes and for abuse of discretion in applying the law to undisputed facts.
PRECEDENTIAL VALUE	Published and precedential Supreme Court of Guam opinion.
PARTIES	Kamlesh K. Hemlani, individually and derivatively in the name of and on behalf of Radhi Puran Trust v. Manu & Anita Melwani, Jethmal K. Melwani, Ishwar P. Hemlani, Vinod I. & Yogita V. Hemlani, Radhi P. Hemlani Estate, Paramanand Melwani Estate, Radhi’s Foundation, Radhi Puran Trust, Radhi Family Trust, Pacific Rainbow, Inc., Safety

TOPICS

trusts trustee duties charitable trusts summary judgment appellate procedure

PRACTICE AREAS

trusts and estates civil litigation appellate practice

QUESTIONS PRESENTED

1. Whether the Foundation was the sole named beneficiary of the Radhi Puran Trust under the Trust Instrument.
2. Whether collateral estoppel barred Kamlesh from disputing the Foundation's beneficiary status.
3. Whether summary judgment was proper in removing Kamlesh as successor co-trustee based on alleged disloyalty, conflict of interest, and hostility.

HOLDINGS

1. The Trust Instrument clearly and definitely names the Foundation as the sole beneficiary of the Radhi Puran Trust.
2. The court did not resolve whether collateral estoppel barred Kamlesh from relitigating the beneficiary issue because it affirmed the beneficiary determination on de novo interpretation of the Trust Instrument.
3. Summary judgment removing Kamlesh as successor co-trustee was improper because genuine disputes of material fact existed regarding alleged disloyalty, conflicts of interest, and hostility impairing Trust administration.

KEY QUOTATIONS

"Based on a de novo review of the Trust Instrument, its terms are clear and definite: the Foundation is the sole named beneficiary of the Trust." (¶ 43)

"personal hostility between a trustee and beneficiaries is not per se a ground for removal of the trustee, and the mere fact that there is discord between the parties to a trust ordinarily will not warrant a court in removing a trustee." (¶ 47)

"We AFFIRM in part, REVERSE in part, and REMAND for further proceedings not inconsistent with this opinion." (¶ 60)

FACTUAL BACKGROUND

P.D. and Radhi Hemlani established the Radhi Puran Trust to hold and distribute substantial family assets, with the Trust Instrument providing that the residuary trust would be distributed to the Radhi Foundation, a Guam

not-for-profit corporation. After numerous amendments, deaths, settlements, probate proceedings, and related litigation, Kamlesh claimed authority as a successor co-trustee and alleged that defendants had improperly diverted or wasted Trust assets. Kamlesh also supported a different foundation and sought to challenge the existing Foundation's status as beneficiary. The Superior Court removed him as co-trustee based on alleged conflicts of interest and hostility, but the Supreme Court held that disputed facts precluded summary judgment on removal.

PROCEDURAL HISTORY

Kamlesh filed the underlying action in 2013 asserting claims relating to the Radhi Puran Trust. The Superior Court previously dismissed the action on standing grounds, and the Supreme Court of Guam reversed in Hemlani I and Hemlani II in successive appeals. On remand after Hemlani II, the Superior Court granted the Foundation's motion for summary judgment, held that Kamlesh was collaterally estopped from disputing the Foundation's beneficiary status, removed him as co-trustee, and dismissed the action on the merits. The Supreme Court affirmed the beneficiary determination on alternative grounds, reversed the trustee-removal ruling, and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand for further proceedings not inconsistent with the opinion, including proceedings on Kamlesh's removal as successor co-trustee and the disputed factual issues concerning alleged conflicts, disloyalty, hostility, and their effect on Trust administration.

CASES CITED

- Hemlani v. Melwani, 2016 Guam 33
- Hemlani v. Melwani, 2021 Guam 26
- People v. Angoco, 2004 Guam 11 ¶ 10
- Abrenilla v. China Insurance Co., DCA CV. No. 87-00019A, 1988 WL 236531, at *3 (D. Guam App. Div. Jan. 26, 1988), rev'd on other grounds, 870 F.2d 548 (9th Cir. 1989)
- Wells Fargo Bank v. Marshall, 24 Cal. Rptr. 2d 507, 511 (Ct. App. 1993)
- Trolan v. Trolan, 243 Cal. Rptr. 3d 264, 279, 281 (Ct. App. 2019)
- In re Estate of Bixby, 362 P.2d 43, 47 (Cal. 1961)
- Abalos v. Cyfred Ltd., 2006 Guam 7 ¶ 40
- In re Certificate of Title No. 134390, 2021 Guam 19 ¶ 49
- Gov't of Guam v. Gutierrez ex rel. Estate of Torres, 2015 Guam 8 ¶ 33
- Waathdad v. Cyfred, Ltd., 2024 Guam 6 ¶ 22
- Jackson v. Fed. Express, 766 F.3d 189, 194 (2d Cir. 2014)
- Henry v. Gill Industries, Inc., 983 F.2d 943, 950 (9th Cir. 1993)

- *Getty v. Getty*, 252 Cal. Rptr. 342, 347 (Ct. App. 1988)

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