

IN THE SUPREME COURT OF INDIA

EXTRAORDINARY CRIMINAL JURISDICTION

SPECIAL LEAVE PETITION (CRIMINAL) NOS. 11234-11235/2026

KRSKA BUILDERS LLP PETITIONER(S)
VERSUS
PUNEET AGRAWAL & ORS. RESPONDENT(S)

O R D E R

1. Challenge in these special leave petitions is to the interim orders dated 20.05.2026 and 21.05.2026 passed by a learned Judge of the High Court of Uttarakhand at Nainital in Criminal Writ Petition No. 762/2026.
2. We may note that two writ petitions were before the learned Judge, viz. Criminal Writ Petition Nos. 1431/2026 and 762/2026. We may further note that the learned Judge had appeared as a counsel for Prateek Resorts & Builders Private Limited, the predecessor-in-interest of KRSKA Builders LLP, the petitioner herein, in WPMS No. 1478/2013 and we are informed that the land involved in the said case was the very same land which is the subject matter of enquiry before the learned Judge and in relation to which the impugned interim orders were passed. It appears that Prateek Resorts & Builders Private Limited filed an application before the

learned Judge seeking to be impleaded and the same is still pending consideration.

3. In such circumstances, in the interest of judicial propriety, the learned Judge ought not to have entertained and passed orders in the matter. Trite to state, justice must not only be done but must also be seen to be done. Passing orders either in favour of or against a former client, a private entity, does not further that cause.
4. That apart, we may also note that the writ petitions filed before the learned Judge were on altogether different issues and the scope of those writ petitions has been enlarged by the learned Judge by way of the impugned interim orders. Even if such an exercise was taken up with the best of intentions, it was not proper for the learned Judge to do so in writ petitions which had nothing to do with the issues sought to be addressed. In the event the learned Judge was of the opinion that this was a matter that required to be espoused in the cause of public interest, appropriate steps could have been taken by placing the matter before the Public Interest Litigation Committee constituted in the High Court or by referring the matter to the Hon'ble The Chief Justice of the High Court for necessary measures to be taken in accordance with due procedure.
5. However, as the learned Judge has already passed certain orders which are presently holding the field and as it

appears that undertakings have also been given with regard to not cutting down trees, we are not inclined to interfere with the said orders or undertakings at this stage. It is for the appropriate Bench of the High Court, as and when it takes up the matter, to go into all aspects on facts and in law, including the validity of the orders impugned presently. All issues are left open to be addressed before the said Bench.

6. This order shall be communicated to the Hon'ble The Chief Justice of the High Court of Uttarakhand at Nainital for taking suitable steps with regard to the listing of Criminal Writ Petition Nos. 762/2026 and 1431/2026 as well as initiation of a public interest litigation, if warranted.
7. With the above observations, the special leave petitions are disposed of.

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

.....J.
(SANJAY KUMAR)

.....J.
(SANJEEV SACHDEVA)

NEW DELHI;
JULY 27, 2026.

ITEM NO.43

COURT NO.8

SECTION II-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Crl.) Nos. 11234-11235/2026

[Arising out of impugned final judgment and order dated 20-05-2026 in CRLWP No. 762/2026 and 21-05-2026 in CRLWP No. 762/2026 passed by the High Court of Uttarakhand at Nainital]

KRSKA BUILDERS LLP

Petitioner(s)

VERSUS

PUNEET AGRAWAL & ORS.

Respondent(s)

(IA No. 175306/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 175305/2026 - EXEMPTION FROM FILING O.T. and IA No. 175302/2026 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 27-07-2026 This matter was called on for hearing today.

CORAM :

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

For Petitioner(s) :

Mr. Arvind Kumar Shukla, Adv.
Mr. Nihal Ahmad, AOR
Mrs. Neena Shukla, Adv.
Ms. Surbhi Khanna, Adv.
Mr. Sanskar Krishnan, Adv.
Mr. Vishal Maurya, Adv.
Mr. Piyush Kumar Singh, Adv.
Ms. Rekha Giri, Adv.

For Respondent(s) :

Ms. Vanshaja Shukla, Adv.
Ms. Deepti Arya, Adv.
Mr. Narayan Har Gupta, Adv.
Ms. Samapika Biswal, AOR
Mr. Anmol Sandhu, Adv.
Ms. Swati Arya, Adv.
Ms. Mehak Kumar, Adv.

Mr. Sanat Kumar, Sr. Adv.
Mr. Rahul Jain, AOR
Ms. Lalit Mohini Bhat, Adv.
Ms. Hetu Arora Sethi, Adv.
Mr. Siddarth Agarwal, Adv.
Mr. Sanidhya Kumar, Adv.

Ms. Kanak Bathwal, Adv.

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

**The special leave petitions are disposed of in terms of the
signed order.**

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

**(DEEPAK GUGLANI)
DEPUTY REGISTRAR**

**(PREETI SAXENA)
COURT MASTER (NSH)**

(signed order is placed on the file)