

ITEM NO.7

COURT NO.5

SECTION III-A

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

Petition(s) for Special Leave to Appeal (C) No(s). 30169-30170/2026

[Arising out of impugned final judgment and order dated 19-05-2026 in SPA No. 93/2026 22-07-2026 in MCCRA No. 4/2026 passed by the High Court of Uttarakhand at Nainital]

SAINIK SCHOOL GHORAKHAL & ANR.

Petitioner(s)

VERSUS

SANJEEV KUMAR CHOUDHARY

Respondent(s)

IA No. 255454/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 255456/2026 - EXEMPTION FROM FILING O.T.

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

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHE

For Petitioner(s) : Mr. Nachiketa Joshi, Sr. Adv.
Mr. Vaibhav Srivastava, Adv.
Mr. Aniket Vijay Seth, AOR
Ms. Priya Puri, Adv.
Mr. Shubham Jain, Adv.
Ms. Aashi Arora, Adv.
Mr. Adarsh Dubey, Adv.

For Respondent(s) :

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

1. Mr. Nachiketa Joshi, learned senior counsel appearing on behalf of the petitioners submitted that High Court could not have permitted unilateral exchanging of the allotted shops by the two allottees, i.e., without the consent and authorization of the petitioners. While we agree with Mr. Nachiketa Joshi that the

petitioner(s)-owner will have the right to allot a shop and insist the tenant to continue in that allotted shop, the controversy does not subsist any more in view of the fact that the tenure of the allottees has come to an end. The deed of exchange, as directed by the High Court, may be executed only during the subsistence of the tenure and no more.

2. With this clarification, the Special Leave Petitions stand disposed of

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

(KAPIL TANDON)
COURT MASTER (SH)

(NIDHI WASON)
ASSISTANT REGISTRAR