

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). 8862/2026

[Arising out of impugned final judgment and order dated 22-12-2025 in IA No. 2/2025 passed by the High Court of Uttarakhand at Nainital]

SUBHASH CHAND

Petitioner(s)

VERSUS

SHIV KUMAR GUPTA

Respondent(s)

IA No. 69704/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 69699/2026 - EXEMPTION FROM FILING O.T.

IA No. 69713/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 13-03-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA

HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) :Dr. Nirmal Chopra, AOR
Mr. Jatin Sapra, Adv.

For Respondent(s) :

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

1. The petitioner herein is the respondent in a pending proceeding under Article 227 of the Constitution of India numbered WPMS No.2924/2025. The respondent herein, who was the petitioner therein, had challenged the order of the Court of First Additional District Judge, Haridwar, Uttarakhand dated 22.08.2025 passed in Civil Revision Petition No.30/2025 whereby the order of the Trial Court

was set aside, and the matter was remanded to the Trial Court with certain directions.

2. By order dated 15.10.2025 passed in WPMS No.2924/2025, the effect and operation of the order dated 22.08.2025 was stayed.

3. The grievance of the petitioner is that despite there being a stay on the remand order, the Trial Court is proceeding with the suit and, therefore, he had moved an application seeking modification of the interim order dated 15.10.2025 so that further proceeding before the Trial Court are kept in abeyance. It is submitted that by the impugned order, the High Court rejected the modification application and extended the interim order dated 15.10.2025. It is the submission of the learned counsel for the petitioner that if the Trial Court is allowed to proceed further, pursuant to the remand order, it will give rise to conflicting orders and, therefore, the modification application ought to have been allowed and further proceedings before the Trial Court ought to have been stayed.

4. Issue notice, returnable in six weeks.

5. In the meantime, further proceedings in Suit No.213/2014 shall remain stayed during pendency of WPMS No.2924/2025 before the High Court.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)