

ITEM NO.7

COURT NO.14

SECTION XV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 14277/2026

[Arising out of impugned final judgment and order dated 16-02-2026 in SBCWP No. 5427/2024 passed by the High Court of Judicature for Rajasthan at Jodhpur]

PRADEEP

Petitioner(s)

VERSUS

VIJAY SINGH

Respondent(s)

FOR ADMISSION

IA No. 122768/2026 - EXEMPTION FROM FILING O.T.

Date : 28-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) : Mr. Bhushan Mahendra Oza, AOR

For Respondent(s) :

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

1. The petitioner's application for appointment of a Commissioner to make a local inspection was rejected by the trial court.

2. Aggrieved therewith, a writ petition

was filed which stood dismissed by the impugned order in terms of order passed in S.B. Civil Writ Petition No 5427/2024.

3. The grievance of the petitioner is that as damages have been claimed, assessment of damages can best be made if the shop in question is inspected by a Commissioner.

4. Be that as it may, we do not find a good reason to interfere with an order rejecting an application for appointment of a Commissioner to make local inspection in as much as the correctness of the order rejecting such an application can always be questioned in an appeal against the final order passed by the trial court.

5. In such view of the matter, we deem it appropriate to dispose of this special leave petition by observing that any observations made by the High Court in the impugned order as also in the order relied upon in the

impugned order shall not prejudice the right of the petitioner to question the correctness of the order rejecting the application for appointment of a local Commissioner in the event an appeal is filed against the final order.

6. With the aforesaid observation, the special leave petition is disposed of.

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

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)