

ITEM NO.41+ 71

COURT NO.8

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

ITEM 41

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 31060-31061/2025

[Arising out of impugned final judgment and order dated 13-08-2025 in SA No. 62/2014 08-09-2025 in MCC No. 15625/2025 passed by the High Court of Uttarakhand at Nainital]

MEENAKSHI AGARWAL DEAD THR LRS & ORS.

PETITIONER(S)

VERSUS

STATE OF UTTARAKHAND & ORS.

RESPONDENT(S)

(IA No. 19597/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 22101/2026 - CONDONATION OF DELAY IN FILING COUNTER
AFFIDAVIT
IA No. 258698/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 258697/2025 - EXEMPTION FROM FILING O.T.
IA No. 22102/2026 - EXEMPTION FROM FILING O.T.)

WITH

SLP(C) No. 33693/2025 (III-A)
(IA No. 321096/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 11907/2026 - EARLY HEARING APPLICATION
IA No. 297514/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT IA No. 297513/2025 - EXEMPTION FROM FILING O.T.)

ITEM 71

Petition(s) for Special Leave to Appeal (C) No(s). 3125/2026
(IA No. 10046/2026 - CONDONATION OF DELAY IN FILING
IA No. 10043/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

Date : 27-01-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s)/ Mr. Gaurav Aggarwal, Sr. Adv.
Item 41 Mr. Shivkant Arora, Adv.

Mr. Rajesh Ranjan, Adv.
Mr. Attin Shankar Rastogi, Adv.
Mr. Adil Vasudeva, Adv.
Mr. Shrutunjay Bhardwaj, Adv.
Ms. Yashi Bajpai, Adv.
Mr. Prateek Yadav, AOR

Item 71 Mr. Sidharth Luthra, Sr. Adv.
Mr. Ayush Kaushik, Adv.
Ms. Shubhangni Jain, Adv.
Mr. Sougat Pati, Adv.
Mr. Sahil Dhingra, Adv.
Ms. Rushika Patil, Adv.
Mr. Abhay Pratap Singh, AOR

For Respondent(s)/ Mr. Jatinder Kumar Sethi, D.A.G.
Item 41 Mr. Manan Verma, AOR
Mr. Sumit Kumar, Adv.
Mr. Pranjal Tandon, Adv.
Ms. Mansi Diwakar, Adv.

For (IMP) Mr. Sidharth Luthra, Sr. Adv.
Item 41 Mr. Ayush Kaushik, Adv.
Ms. Shubhangni Jain, Adv.
Mr. Sougat Pati, Adv.
Mr. Sahil Dhingra, Adv.
Mr. Abhay Pratap Singh, AOR

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

IA NO. 19597/2026 AND IA NO. 321096/2025

1. Heard learned counsel for the parties.
2. The High Court by an order dated 17.10.2025 has observed that the crops are *ripe for harvesting* and thus permitted the harvesting of the same under intimation to the local Tehsildar. It was also provided that the harvested crop shall be weighed at the spot in the presence of the Tehsildar or his

representative and a statement of weighment shall be prepared and retained by the petitioners as well as by the Tehsildar.

3. In the meantime, order of *status quo* came to be passed in SLP (C) Nos. 31060-31061/2025 on 27.10.2025 and on 12.12.2025 in SLP(C) No. 33693/2025, which directed the parties to maintain *status quo* with regard to the land in dispute.

4. Though the said order of *status quo* was in respect of the land in dispute but probably on its basis, some difficulty had arisen regarding the harvesting of the crop and its disposal.

5. Now, the problem faced by the petitioners is that the entire paddy crop has been harvested but it is lying stocked either on the fields or in the godowns; whereas, sugarcane crop still continues to be standing which has to be harvested and has to be supplied to the sugar mill of the area.

6. Presently, so as to safeguard the interest of the parties and so that the crops may not go waste or is pilfered, we permit the petitioners to get the sugarcane crop harvested under the supervision of the local Tehsildar and the said crop upon proper weighment is permitted to be supplied to the sugarcane mill in accordance with law. In the event, the sugarcane mill is closed or refuses to accept, the same may be

disposed of in open market through public auction again under the supervision of the local Tehsildar.

7. Similarly, the paddy crop which has already been harvested shall be sold by public auction in open market under the supervision of the local Tehsildar.

8. Out of the sale consideration received by the sale of entire crops, 50% of it shall be utilized by the petitioners to meet out the expenses and the balance 50% shall be deposited by the petitioners with the Registrar General of the High Court of Uttarakhand.

9. The amount so deposited with the Registrar General of the High Court, shall be invested in a short term fixed deposit with a Nationalized Bank.

10. The petitioners shall furnish the accounts regarding the utilization of the 50% of the sale consideration to the High Court of Uttarakhand in the pending matter within a period of six weeks.

11. This order will apply to the entire area and in respect of all the Special Leave Petitions.

12. I.A. Nos. 19597/2026 and 321096/2025 are disposed of.

13. The main Special Leave Petitions be listed for final hearing on a non-miscellaneous day.

(Nidhi Mathur)
Court Master (NSH)

(Geeta Ahuja)
Assistant Registrar-cum-PS