

ITEM NO.14                      Court 4 (Video Conferencing)                      SECTION XIV

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).20849/2021

(Arising out of impugned final judgment and order dated 24-11-2021 in CWP No. 6534/2021 passed by the High Court of Himachal Pradesh at Shimla)

AJAY MODGIL

Petitioner(s)

VERSUS

THE STATE OF HIMACHAL PRADESH & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.165948/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.165947/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 03-01-2022 This petition was called on for hearing today.

CORAM :    HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
              HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s)    Mr. Saurav Agarwal, Adv.  
                              Mr. Vibhu Anhsuman, Adv.  
                              Mr. Dev Priya Singh, Adv.  
                              Mr. Himanshu Kapoor, Adv.  
                              Mr. Alok Tripathi, AOR

For Respondent(s)

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

- 1        Special Leave Petition (Civil) Nos 19762-19768 of 2021 against the judgment of the High Court have been dismissed by this Court on 6 December 2021. Hence, there was no valid basis for this Court to exercise its jurisdiction under Article 136 of the Constitution.
- 2        Mr Saurav Agarwal, counsel appearing on behalf of the petitioner, states that the case of the petitioner stands on a different footing from the other petitions and that the present petition was delinked by the High Court from the other group of

cases on 10 November 2021, which has not been considered.

- 3 If that be so (on which we express no opinion whatsoever), the remedy of the petitioner would lie in the form a petition for review before the High Court and not in the proceedings before this Court under Article 136. The special leave petitions having been dismissed by this Court against the decision of the High Court. Any factual distinction has to be established before the High Court.
- 4 Subject to the aforesaid clarification, the Special Leave Petition is dismissed.
- 5 Pending application, if any, stands disposed of.

**(SANJAY KUMAR-I)**  
**AR-CUM-PS**

**(SAROJ KUMARI GAUR)**  
**COURT MASTER**