



**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL No. / 2026
[Arising out of SLP (C) No. 32536/2025]**

AJIT SINGH

...APPELLANT

VERSUS

STATE OF RAJASTHAN & ORS.

...RESPONDENTS

J U D G M E N T

DIPANKAR DATTA, J.

- 1.** Leave granted.
- 2.** Appellant, a resident of Bikaner, intended to engage in operation of a stage carriage in the State of Rajasthan.
- 3.** Acting in pursuance of a notice dated 2nd September, 2015 issued by the Government of Rajasthan, applications for stage carriage permits were made by the appellant for three routes, viz. (i) Bikaner – Suratgarh, (ii) Suratgarh – Ganganagar and (iii) on the joint route, i.e., Bikaner – Suratgarh and Suratgarh – Ganganagar¹. The application for permit on

¹ a combination of two routes with a total length of 263 km, listed at serial numbers 81 and 78 of the departmental notice dated 2nd September, 2015.

the route Bikaner – Ganganagar was rejected by the State Transport Authority², Rajasthan, *vide* order dated 14th June, 2016, on the ground that he has already been granted a permit. The route did not, however, find reflection in the order of the STA.

4. An appeal³ carried by the appellant before the State Transport Appellate Tribunal⁴, Rajasthan under Section 89 of the Motor Vehicles Act, 1989⁵ yielded no positive result. The STAT dismissed the appeal *vide* order dated 26th April, 2019⁶ and affirmed the STA's order. The ground assigned was that the appellant had not surrendered the "*previously issued permit*" and "*therefore, could not be issued a second permit*". The route on which the STA "*previously issued permit*" to the appellant was also conspicuous by its absence in the order of the STAT.
5. Invoking the jurisdiction under Article 226 of the Constitution of India, the appellant approached the High Court of Rajasthan. The pleaded case was that the private respondents were favoured with grant of permit on the route Bikaner – Ganganagar without due consideration of the relative merits; despite the appellant offering a vehicle of 2015 model, his claim was spurned without just reason. In the writ petition, the following relief was claimed:

- a. the impugned order passed by Secretary, S.T.A., Jaipur dated 14.06.2016 may kindly be ordered to be set aside;
- b. the impugned order passed by Member, State Transport Appellate Tribunal, Jaipur dated 26.04.2019 may kindly be ordered to be set aside;

² STA

³ Appeal No. 168/2019

⁴ STAT

⁵ MV Act

⁶ Appeal No. 168/2019

c. the Secretary, State Transport Authority (STA) may be kindly be directed to grant a permit on Bikaner-Suratgarh, Suratgarh-Ganganagar of linked route.

6. A Single Judge dismissed the writ petition by a short judgment and order⁷ dated 17th January, 2022⁸. It was, *inter alia*, held as follows:

"6. Learned counsel for the petitioner submits that the STA suo moto granted the permit on the Bikaner – Churu route, without any prior intimation thereof to the petitioner.

7. Learned counsel for the petitioner further submits that there exists no provision in the Act limiting the number of permits that may be granted in favour of an individual/association of persons.

8. Learned counsel for the petitioner thus submits that the petitioner has been deprived of his fundamental right to carry on trade or business of transport under Article 19(1)(g) of the Constitution of India.

9. Heard learned counsel for the parties as well as perused the record of the case.

10. This Court finds that while the learned counsel for the petitioner is right on the law, the factual matrix of the case reveal that the petitioner made three different applications, but in doing so, mentioned the same chassis number in all the three applications, and thus, the learned STA was not wrong in applying its mind and allocating a route, as notified in the aforementioned notification.

11. Thus, in the aforesaid factual backdrop, no case is made out so as to warrant any interference by this Court under the writ jurisdiction.

12. Consequently, the present petition is dismissed. All pending applications stand disposed of."

(emphasis supplied)

7. Appellant then unsuccessfully applied for a review before the Single Judge. The review was dismissed by an order dated 30th September, 2022. The Single Judge reiterated that the appellant having offered a single vehicle which was considered for grant of permit on a different route, the finding arrived at in the said order need not be disturbed.

⁷ said order

⁸ S.B. Civil Writ Petition No. 6835/2019

8. An intra-court appeal⁹ met the same fate of dismissal, but on a different ground. The judgment and order¹⁰ dated 23rd September, 2025 of the Division Bench reads as follows:

5. The basic and fundamental question before us is, as to whether the intra-court appeal under Rule 134 of the Rules of 1952 is maintainable in the instant case.

6. According to us, whatever maybe the provision under which the order under challenge was passed but in case where writ court or learned Single Judge has exercised its jurisdiction under Article 226 read with Article 227 of the Constitution of India, no intra-court appeal is maintainable, as is clear from the language used in Rule 134 of the Rules of 1952.

7. Simply because there is no such adjudication so far made in relation to the writ petitions arising out of the orders passed by the authorities under the Motor Vehicles Act, 1988, it cannot be said that the Full Bench judgment in the case of Mahendra Kumar Jain (supra) is not applicable.

8. Following the reasoning given in the judgment of Mahendra Kumar Jain of the Full Bench, we hold that the present intra-court appeal is not maintainable.

9. The appeal is, therefore, dismissed on the count of maintainability.

10. Stay application also stands dismissed, accordingly.

9. The civil appeal is directed against the said judgment.

10. We have heard Mr. Siddharth Krishna Dwivedi and Mr. Padmesh Mishra, learned counsel for the respective parties.

11. The writ petition of the appellant has been perused. It was purportedly under Article 226 of the Constitution and not a combined application under Articles 226/227. Thus, the appellant had not invoked Article 227; instead, he invoked the jurisdiction only under Article 226. It is also reflected from the said order of the Single Judge that exercise of writ jurisdiction was declined.

⁹ D.B. Special Appeal (Writ) No. 1113/2022

¹⁰ said judgment

- 12.** Notwithstanding the same, the Division Bench held the intra-court appeal to be not maintainable in light of Rule 134¹¹ of the Rules of the High Court of Judicature for Rajasthan, 1952¹² and dismissed the same without a consideration thereof on merits.
- 13.** Thus, the first question we are tasked to examine and decide is, whether the impugned judgment of the Division Bench is vitiated by any error.
- 14.** Mr. Mishra argues that though the appellant invoked the jurisdiction of the High Court under Article 226, he did not claim any specific writ; and, the prayers in the writ petition were akin to prayers that a party generally claims under Article 227. Hence, he submits that the Division Bench was justified in holding the intra-court appeal to be not maintainable.
- 15.** Bearing in mind the impugned judgment, the extent of the jurisdiction conferred by Articles 226 and 227 require clarification with special emphasis on the former having regard to the facts of this appeal.

¹¹ (i) Appeal to the High Court from Judgment of Judges of the Court:-

An appeal shall lie to the High Court from the Judgment or a final order (not being a Judgment passed in the exercise of appellate Jurisdiction in respect of a decree or order made in the exercise of appellate Jurisdiction by a Court subject to the superintendence of the High Court and not being an order made in the exercise of the power of superintendence or in the exercise of criminal Jurisdiction) of one Judge of the High Court.

(ii) Special Appeal. –

A person desiring to prefer a special appeal from the judgment of the Single Judge shall present a duly stamped memorandum of appeal within sixty days from the date of such judgment. Where such appeal is presented after the period mentioned above, it shall be accompanied by an application supported by an affidavit explaining the cause of delay and it shall be rejected unless the appellant satisfied the court that he had sufficient cause for non preferring the appeal within the aforesaid time.

The memorandum of appeal shall be drawn-up in accordance with Rules 125, 130 and 131 of this Chapter and shall be accompanied by a certified copy of the judgment or order appealed from alongwith two extra typed copies of the judgment or order.

¹² the 1952 Rules

- 16.** Article 226 of the Constitution of India does not restrict the power of a high court to issue only writs of the nature mentioned therein for enforcement of any of the rights conferred by Part III and for any other purpose; even, orders or directions can be issued. This appears on the plain terms of Article 226. Jurisdiction under Article 227, on the other hand, though akin to revisional jurisdiction but wider than the powers under Section 115 of the Code of Civil Procedure, 1908, is exercised by the high courts to keep the subordinate courts and tribunals within the bounds of their jurisdiction.
- 17.** The nature, scope and purpose of Article 226 (being the repository of the power of judicial review) and Article 227 (being the repository of the power of judicial superintendence), obviously, are not the same. While a writ, order or direction is available for established breach of any of the Fundamental Rights or for any other purpose against authorities/persons performing public functions including statutory tribunals, the power of superintendence which is supervisory in nature extends to correcting gross errors of jurisdiction by courts/tribunals, over which the high court exercises jurisdiction, irreparably harming any of the parties.
- 18.** It must be borne in mind that Articles 226 and 227 are not ordinary provisions. They constitute the primary sources of writ and supervisory jurisdiction, respectively. Articles 226 and 227 are constitutional powers of the widest amplitude. The Constitution has placed these vast and plenary powers in the high courts as sentinels of the rule of law. It would, therefore, neither be prudent nor advisable to enter into the comparative

scope of Article 226 vis-à-vis Article 227. However, it would suffice, if reference is made to a few decisions of this Court of high authority for the purpose of context.

19. In ***Hari Vishnu Kamath v. Syed Ahmad Ishaque***¹³, a Constitution Bench of this Court observed that while issuing a writ of/in the nature of Certiorari under Article 226 a high court can only annul the decision of the tribunal, under Article 227, the high court can do that and also issue further directions in the matter. This observation would tend to suggest that the power under Article 227 is more extensive. However, we clarify, this observation has to be understood in the context of a prayer for Certiorari which was claimed to quash the decision of an Election Tribunal.

20. It is of some significance to note that soon after the decision in ***Hari Vishnu Kamath*** (supra) was rendered, another Constitution Bench of this Court in ***Nagendra Nath Bora v. Commissioner, Hills Division***¹⁴ had the occasion to observe as follows:

" ... It is, thus, clear that the powers of judicial interference under Art. 227 of the Constitution with orders of judicial or quasi-judicial nature, are not greater than the powers under Art. 226 of the Constitution. Under Art. 226, the power of interference may extend to quashing an impugned order on the ground of a mistake apparent on the face of the record. But under Art. 227 of the Constitution, the power of interference is limited to seeing that the tribunal functions within the limits of its authority. Hence, interference by the High Court, in these cases, either under Art. 226 or 227 of the Constitution, was not justified."

(emphasis supplied)

¹³ AIR 1955 SC 233

¹⁴ AIR 1958 SC 398

- 21.** In law and practice, where Certiorari and Mandamus are prayed by a litigant, the writ court may not only quash the impugned decision but also command the manner of exercise of discretion, and in exceptional cases, itself grant the relief that the authority ought to have granted. This flows from the decision of this Court in **Dwarka Nath v. ITO**¹⁵ ruling that Article 226 is couched in comprehensive phraseology and it *ex facie* confers a wide power on the high court to reach injustice wherever it is found. One may also profitably refer, in this connection, to paragraph 20 of the decision in **Comptroller and Auditor General v. K. S. Jagannathan**¹⁶, where it was *inter alia* held that in a fit and proper case a high court can, in the exercise of its jurisdiction under Article 226, issue a writ of/in the nature of mandamus or pass orders and give directions to compel the performance in a proper and lawful manner of the discretion conferred upon the government or a public authority, and in a proper case, in order to prevent injustice resulting to the concerned parties, the court may itself pass an order or give directions which the government or the public authority should have passed or given had it properly and lawfully exercised its discretion.
- 22.** Finally, we need to note the landmark decision of the Constitution Bench of this Court in **L. Chandra Kumar v. Union of India**¹⁷. Provision contained in clause (2)(d) of Article 323A of the Constitution, which ordained the exclusion of jurisdiction of all Courts except the Supreme

¹⁵ AIR 1966 SC 81

¹⁶ AIR 1987 SC 537

¹⁷ (1997) 3 SCC 261

Court under Article 136 with respect to all or any of the matters falling within the jurisdiction of the administrative tribunals constituted thereunder, was subjected to challenge on the ground of being opposed to the basic structure of the Constitution. The said decision is an authority for the proposition that any law, be it a law inserted in the Constitution by an amendment, which curtails the power of judicial review of the high courts would be *ultra vires* the Constitution. In terms of the principles of law laid down therein, orders of tribunals constituted under the Constitution (see: Article 323A and also Article 323B) were held to be amenable to challenge either under Article 226 or Article 227 before a Division Bench of a high court.

- 23.** Summing up this part of the discussion, we hold that orders made by a tribunal constituted by a law, which has Article 323A of the Constitution as its source, can be challenged before the high courts under Article 226 of the Constitution. On the other hand, if the tribunal is one over which the relevant high court exercises jurisdiction under Article 227 too, a petition seeking exercise of the power of judicial superintendence could also be maintainable thereagainst. If the rules of the relevant high court permit, a combined application could also be instituted. By extension, orders made by tribunals constituted by law enacted in terms of Article 323B would similarly be amenable to challenge either under Article 226, or Article 227, or both (if the rules so permit). The same logic would apply even to orders of statutory tribunals (like the STAT under the MV Act) and it can be challenged in writ proceedings under Article 226 or

even in proceedings under Article 227 or both, subject to the rules permitting it. It is vital to remember that exercise of discretion under Article 226 cannot, however, be refused merely because the tribunal's order could also have been challenged under Article 227. In the process, we approve the decision of the Full Bench of the High Court at Calcutta in ***Bhowanipore Gujrati Education Society v. Kolkata Municipal Corporation***¹⁸ involving a similar issue.

- 24.** Now, moving further, we hold that whether jurisdiction under Article 226, or under Article 227, has been invoked cannot be ascertained merely by reading the prayer clauses as Mr. Mishra urges us to do. What is to be seen is the nature of jurisdiction invoked having regard to the facts and circumstances of each particular case. This would require consideration, *inter alia*, of the preamble of the petition where normally reference is briefly made to the provision of law referring to which jurisdiction of the Court is sought to be invoked, the subject matter of challenge, the nature of alleged breach of a legal right, the pleaded case, the grounds urged and then the prayers; in essence, the whole of the petition. Also, the determination or assignment made by the Chief Justice of the relevant high court as to roster is paramount. Ordinarily, a Single Judge nominated to hear matters under Article 226 has no jurisdiction to entertain a petition under Article 227, and vice versa. However, where the rules of the high court so permit, a particular Judge may be nominated by the Chief Justice to hear combined petitions under Articles

¹⁸ AIR 2009 Cal 140 (FB)

226 and 227. However, if the jurisdiction under Article 226 is correctly invoked and an order is passed by the writ court affecting the rights of the parties to the proceedings, and the rules of the relevant high court permit an intra-court appeal to be carried from the decision of the Single Judge to a Division Bench, we see no reason why an intra-court appeal may not lie at the instance of the affected party (who could either be the petitioner or the respondent).

- 25.** Turning to the facts of this appeal, it is apparent on a bare reading of the said judgment that the Division Bench was under the mistaken impression that the appellant had invoked the supervisory jurisdiction of the High Court under Article 227 when, in fact, the writ jurisdiction under Article 226 was invoked. Significantly, the registration number of the intra-court appeal does suggest that it was a writ appeal¹⁹ from an order passed by a Single Judge refusing to extend (discretionary) remedy to the appellant. Article 227 does not speak of writs and hence, the intra-court appeal was not presented against an order passed under Article 227. Reading Rule 134 of the 1952 Rules too, we find no reason to hold that the intra-court appeal was not maintainable. Had the appellant unsuccessfully invoked Article 227 of the Constitution to have the order dated 26th April, 2019 of the STAT set aside, things would have been different. In such a case, applicability of Rule 134 may not have been doubted. That is, however, not the case before us.

¹⁹ which in the High Court is called a Special Appeal (Writ)

- 26.** We sought to ascertain, why did the Division Bench view the appellant's challenge to the order of the STAT as one under Article 227? No ready answer is available from the impugned judgment. The Full Bench judgment referred to therein too does not provide any clarity.
- 27.** In the absence of any reasoning, it can only be inferred that the Division Bench was of the view that the appellant's petition having challenged the STAT's order, fell within the supervisory jurisdiction under Article 227 rather than the writ jurisdiction under Article 226.
- 28.** If indeed that be the reason, and we see no other reason, the Division Bench must be held to have committed an error of law. ***G. Veerappa Pillai v. Raman & Raman Ltd.***²⁰ and ***Syed Yakoob v. K.S. Radhakrishnan***²¹ are two decisions of ancient vintage which, we recall, dealt with proceedings that travelled to this Court from decisions of the relevant high courts under Article 226 of the Constitution wherein orders passed by the STAT in appellate proceedings under the Motor Vehicles Act, 1939 were questioned. Had it been so that the orders passed by the STAT could only be challenged before the high courts under Article 227, we wonder whether this Court would have entertained the civil appeals and decided the same on merits. Without much ado, in both the cases, the writ petitions under Article 226 could have been held to be not maintainable.

²⁰ AIR 1952 SC 192

²¹ AIR 1964 SC 477

- 29.** Be that as it may, based on the paragraph extracted from the decision in ***Nagendra Nath Bora*** (supra) and, in particular, the last sentence thereof, there appears to be no absence of conceptual clarity that the litigant has the option to challenge an order of a tribunal acting judicially, either under Article 226 or under Article 227 of the Constitution.
- 30.** The Division Bench, unfortunately, did not consider all these decisions while arriving at its finding that the appellant's intra-court appeal was not maintainable.
- 31.** On a conspectus of the foregoing discussion, we have no option but to hold the finding of the Division Bench (that the intra-court appeal was not maintainable) is indefensible. The question framed, thus, stands answered by holding that the impugned judgment is legally untenable, being contrary to established principles.
- 32.** We could have set aside the impugned judgment and remitted the intra-court appeal for fresh consideration on merits. However, having regard to the lapse of time since the application for permit was made by the appellant, we propose to examine the merits of the said order of the Single Judge dismissing the writ petition and the order of the STAT rejecting the appellant's appeal.
- 33.** To what extent are the said orders of the Single Judge and the STAT sustainable? To test the validity of the orders dismissing the writ petition and the statutory appeal, we proceed with consideration of certain provisions in the MV Act relevant for our decision.

- 34.** Sub-section (4) of section 71 of the MV Act, prior to its amendment by Act No.54 of 1994²², contemplated a cap on the number of permits that could be granted in favour of an individual stage carriage operator. No operator could have more than five permits issued in his favour. The said sub-section has, however, been omitted by the Amendment Act altogether. Therefore, there exists no such cap. In view of the law prevailing as on date of consideration of the appellant's application, an individual operator could have any number of permits. The Parliament in its wisdom having removed the cap, it is not open for the courts to re-introduce the same. The Single Judge though accepted the contentions raised on behalf of the appellant on the legal aspect of the matter, but refused to grant relief to the appellant on a ground which neither the STA nor the STAT had assigned for rejection of the appellant's permit on the joint route Bikaner – Ganganagar.
- 35.** According to the Single Judge, since the STA had decided to grant a permit to the appellant on a different route authorising the vehicle which the appellant proposed to ply, the rejection was valid because a single vehicle could not be plied on two routes. However, in the process, the Single Judge did not consider the appellant's primary grievance that his application for a permit on the route Bikaner – Ganganagar was erroneously rejected, despite he being best suited therefor having a brand-new vehicle; and that grant of a permit on a route on a different route, subsequent to the hearing given to him preceding the impugned

²² Amendment Act

decision of the STA, could not be a valid ground for the impugned rejection, thereby rendering the said order vitiated.

36. We find merit in the contention of the appellant. Challenge to the decision of rejection of the appellant's application for permit on the route Bikaner – Ganganagar was not examined from the standpoint of relative merits and demerits of the applicants seeking permit (appellant and the private respondents). It is true that in terms of Section 72 of the MV Act, a permit may be granted in accordance with the application or with such modification as the transport authority deems fit. However, when an application is made by an applicant for a permit on a route which is part of a notice inviting applications for grant of permits on specific routes, strong reasons should be available for not granting the permit on the route applied for. Indeed, the decision of the STA did not record any reason, far less sufficient reason, for rejection of the appellant's application though recording of reasons, in terms of Section 80 of the MV Act, is mandatory. The said order of the Single Judge is, thus, unsustainable in law.

37. We now focus on whether possession of a ready vehicle is a *sine qua non* for making an application for permit. There are decisions of Division Bench of various high courts ruling that such possession is not mandatory and that the applicant for permit may, within the time permitted, produce the vehicle for issuance of permit.

38. The MV Act permits framing of rules by the State Governments for carrying out its provisions, and each State has framed its own rules.

39. Insofar as possession of a ready vehicle is concerned, Rule 5.11²³ read with Form R.S. 5.1²⁴ of the Rajasthan Motor Vehicles Rules, 1990²⁵ assumes importance. Since possession of a vehicle on the date of application for permit is not mandated by the MV Act, the MV Rules too do not make such a requirement imperative. It would be sufficient compliance of law if, after a permit is granted (i.e., the applicant for permit is informed of his selection) but before such permit is actually issued (the ministerial act that follows), the applicant produces a vehicle of the nature required by the transport authority to be plied on the route. However, we add a caveat here. Should there be more than one applicant seeking permit on a particular route and one of them has a ready vehicle for being placed on the route while the others do not, the transport authority may, in its discretion, prefer that applicant having a ready vehicle in his possession to the other not in possession thereof. After all,

²³ **5.11. Permit Entry of Registration Mark on.**-(1) Save in the case of a temporary permit, if the registration mark of the vehicle is to be entered on the permit and the applicant is not at the date of application in possession of the vehicle duly registered, the applicant shall within one month of the sanction of the application by the Regional Transport Authority or such longer period as the Authority may specify, produce the certificate of registration of the vehicle before that Authority in order that particulars of the registration mark may be entered in the permit.

(2) No permit shall be issued until the registration mark of the vehicle to which it relates has, if the form of permit so requires, been entered therein and in the applicant failing to produce the certificate of registration within the prescribed period, the Regional Transport Authority may revoke its sanction of the application.

(3) *****

²⁴

FORM R.S. 5.1

[See Rule 5.5 (1) (i)]

Application for a permit in respect of a particular stage carriage

9. Details of the Vehicle offered to operate on the route applied for:-
 Type of Vehicle..... Vehicle No. Modol Make
 Seating Capacity Wheel Base(Proof to be enclosed).
10. If the vehicle is not in possession, then mention the particulars of the proposed vehicle Approximate seating capacity

²⁵ MV Rules

in the matter of grant of permits, what is of paramount consideration is the benefit of the travelling public. Any factor that advances the aforesaid consideration should be preferred. We are afraid, the Single Judge faltered in arriving at a correct decision because of inadequate assistance resulting in omission to consider the MV Act and the MV Rules in the proper perspective.

- 40.** In any event, non-application of mind being writ large, this renders the said order equally untenable.
- 41.** The order of the STAT also suffers from the vice of non-consideration of all the relevant factors, namely, those referred to above, calling for interdiction.
- 42.** For the reasons aforesaid, we set aside the impugned judgment of the Division Bench dated 23rd September, 2025, the said order of the Single Judge dated 17th January, 2022 and the order of the STAT dated 26th April, 2019.
- 43.** Appellant's appeal before the STAT, i.e., Appeal No.168/2019 shall stand revived. Let the STAT decide the appeal in accordance with law and in the light of the observations made in this judgment and order, as early as possible but positively within six months from date of receipt thereof.
- 44.** If for any valid reason permit to the appellant cannot now be granted on the route Bikaner – Ganganagar, he may be so informed (with the reason) whereupon the appellant may intimate his willingness to have a permit on any other chosen route; in such case, an appropriate decision may be taken without any delay.

- 45.** The appeal stands allowed on the aforesaid terms. No costs.
- 46.** Connected applications, if pending, shall stand disposed of.
- 47.** Before parting, we deem it appropriate to express a concern that has emerged in course of hearing in respect of a systemic issue. The practice of 'bench-hunting' has assumed alarming proportions over the last couple of decades. Where orders of statutory tribunals acting judicially can be challenged either under Article 226 or under Article 227, and different Single Judges of a high court are assigned or nominated by the Chief Justice to decide writ petitions/applications thereunder, it opens the door for scheming litigants to pick and choose Benches. This is antithetical to the rule of law, affecting certainty in adjudication which is a hallmark of the justice delivery system. That apart, where intra-court appeals lie against orders passed under Article 226 in a particular high court, and since no appeals against orders passed under Article 227 lie, it creates an anomaly of two tiers of remedy in one case and one tier in another in the same high court. To curb bench-hunting and to remove this anomaly, we commend to the consideration of the high courts the need to frame appropriate rules/introduce practice guidelines. One possible course following **L. Chandra Kumar** (supra), which could be an effective way to maintain consistency and certainty, is to assign a specific Division Bench for hearing writ petitions/applications under Article 226 and Article 227, respectively, arising from orders of statutory tribunals. We, however, leave it to the wisdom of each high court to take a call and frame the precise modalities suiting local conditions.

48. This judgment may be circulated to the Chief Justices of the high courts by the Registry for information and compliance of what we have observed in the preceding paragraph.

.....J.
(DIPANKAR DATTA)

.....J.
(SHEEL NAGU)

**NEW DELHI;
JULY 13, 2026.**