
(2010) 09 UK CK 0033

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 1705 of 2010

Kallu Hasan and Others

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 29-09-2010

Acts Referred:

Citation : (2010) 09 UK CK 0033

Hon'ble Judges : Brahma Singh Verma, J

Bench : Single Bench

Judgement

B.S.Verma, J.—Heard learned Counsel for the parties and perused the record.

2. By means of this writ petition, the petitioner has sought the following relief:

- i) Issue a writ in the nature of certiorari quashing the impugned report dated 20-3-2010 (contained as Annexure No. 1 to the writ petition.)
- ii) Issue a writ in the nature of certiorari calling for the record from the respondent No. 5 for the reconstitution of Village Panchayat, Bharapur, Tehsil Roorkee, District Haridwar.
- iii) Issue any other relief, which this Hon'ble Court may deem fit and proper in the circumstances of the case be passed in favour of petitioners.
- iv) Cost of the petition be awarded in favour of the petitioners.

3. In the course of arguments, learned counsel for the petitioners has submitted that this Court has already disposed of Writ Petition (M/S) No. 1706 of 2010, Abdul Gani v. State of Uttarakhand and Ors., by order dated 29-9-2010 and the controversy involved in the present writ petition is identical in the instant writ petition. Learned Counsel has urged that a similar order may be passed in the case at hand and the writ petition may be disposed of finally today.

4. Having considered the submissions of the learned Counsel for the petitioners and having gone through the record, I am of the view that ends of justice would

be served if liberty may be given to the petitioners to a representation to the District Magistrate Haridwar.

5. The writ petition appears to be premature.

6. However, liberty is given to the petitioners to make a representation before the District Magistrate Haridwar or they may file objection against the report dated 25-8-2010 pertaining to electoral rolls of village Bharapur, Tehsil Roorkee which was submitted by the Additional District Magistrate, Haridwar to the District Magistrate. If the objection is filed or representation is made, as above, the District Magistrate shall pass appropriate order thereon after hearing the petitioners, in case decision is not already taken on the said report.

7. With the above observation, the writ petition is disposed of finally.