
(2011) 06 UK CK 0106

In the Uttarakhand High Court

Case No : Writ Petition (S/S) No. 672 of 2011

Mahendra Kumar Sharma

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 28-06-2011

Acts Referred:

Citation : (2011) 06 UK CK 0106

Hon'ble Judges : Sudhanshu Dhulia, J

Bench : Single Bench

Judgement

Sudhanshu Dhulia, J.—Heard Mr. C.K. Sharma, Advocate for the Petitioner, Mr. Anil Bisht, Brief Holder for the State and Mr. T. A. Khan, Advocate for Respondent No. 2.

2. This writ petition has been filed by the Petitioner seeking the following reliefs:

(i) issue a writ order or direction in the nature of certiorari to quashing the impugned order dated 20.6.2011 passed by the Respondent No. 2. (Annexure No. 1 to this writ petition).

(ii) such other relief or reliefs as this Hon"ble Court deems just and proper in the facts and circumstances of the case, may also be granted.

(iii) Award the cost of the writ petition.

3. The order dated 20.6.2011, is an order by which the Petitioner has been asked to vacate the accommodation on which the Petitioner is now an unauthorized occupant.

4. Without going into merits of the case, learned Counsel for the Petitioner has candidly stated that he may be allowed to remain in the accommodation for a period of one year, for which he would pay rent and thereafter he will vacate the same.

5. Sri T.A. Khan, Advocate who represents Bajpur Cooperative Sugar Factory has

accepted the above undertaking provided it is only limited to the vacation of premise.

6. It is made clear that this order of allowing the Petitioner to remain in the official accommodation is an independent order and is not connected to any other legal proceeding, nor will it prejudice the rights of the sugar factory in any other proceedings.

7. On the above undertaking given by Sri C. K. Sharma, counsel for the Petitioner that he will vacate the premises on or before 28.6.2012 this writ petition is disposed of.

8. No order as to costs.