
(2024) 08 UK CK 0086

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 2283 Of 2024

Mohd Ali

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 29-08-2024

Acts Referred:

Citation : (2024) 08 UK CK 0086

Hon'ble Judges : Pankaj Purohit, J

Bench : Single Bench

Advocate : Mohd. Umar, K.K. Shah, Devesh Ghildiyal

Final Decision : Disposed Of

Judgement

Pankaj Purohit, J

1. Heard learned counsel for the parties.
2. By means of this writ petition, petitioner has sought the indulgence of this Court for a direction to respondents to provide vacant revenue land adjacent to village Ramjeevanpur, Gram Sabha, Gopipura-Chandpur, Tehsil Kashipur, District Udham Singh Nagar for the purpose of graveyard to the Muslim Community.
3. It is contended by learned counsel for the petitioner that the petitioner is resident of village Chandpur and the resident of village Chandpur and adjoining villages Ramjeevanpur and Gopipura are facing problems in doing the last rites of its residents, who are Muslims by faith. Earlier, the last rites of the residents of these villages and adjoining other villages are done in the forest land, which has now been vacated after the order passed by Forest Officers.
4. A request has been made to the State to provide land for graveyard.
5. It is contended by learned counsel for the petitioner that a survey has also been conducted by the team of revenue department in the month of June 2021 and a vacant land of State comprising in Khasra No.60 admeasuring 0.506 Hec.

is available, out of which 0.13 Hec. may be earmarked, which could be given to the Muslim Community for the purpose of graveyard, so that the residents of aforesaid villages may conduct the last rites of villagers.

6. It is submitted by learned counsel for the petitioner that the land has been earmarked by the officials of State Government in the year 2021, but, till date, the land has not been given to the villagers for graveyard.

7. It is contended by learned counsel for the petitioner that petitioner has moved representation dated 24.11.2022 requesting District Magistrate to hand over the land earmarked in June 2021 in Khasra No.60 of said land for graveyard. But the said representation is pending consideration. When no action has been taken, petitioner again moved a fresh representation on 05.08.2024 which is also pending consideration.

8. Learned counsel for the petitioner made an innocuous prayer that if a direction is issued to respondent No.3-District Magistrate to decide the petitioner's representation dated 05.08.2024 within a time bound manner, the end of justice would be met.

9. The prayer which has been made by learned counsel for the petitioner is not opposed by learned State Counsel.

10. Accordingly, writ petition is finally disposed of with a direction to respondent No.3-District Magistrate, Udham Singh Nagar to decide the petitioner's representation dated 05.08.2024 (Annexure No.1) within a period of six weeks from the date of production of certified copy of this order, by a speaking and reasoned order.