
(2021) 07 UK CK 0004

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 393 Of 2018

Pooran Chandra Dorbi

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 01-07-2021

Acts Referred:

Citation : (2021) 07 UK CK 0004

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Dushyant Mainali, T.S. Phartiyal

Final Decision : Dismissed

Judgement

Manoj Kumar Tiwari, J

1. Heard learned counsel for the parties through video conferencing.
2. By means of this writ petition, petitioner has challenged the notice dated 29.01.2018, issued by Assistant Engineer, National Highway Division, Public Works Department, Haldwani, whereby he has been directed to remove the encroachment made by him over public land.
3. A counter affidavit has been filed by Tehsildar, Ramnagar. Paragraph no. 12 of the said counter affidavit is reproduced below:-

â??12. That the contents of para 13 of the writ petition are wrong and denied. It is stated here that in compliance of the order dated 15.11.2015 passed by this Honâ??ble Court in Writ Petition (PIL) No. 102 of 2015 the notices were issued to remove the encroachment. It is further submitted that a joint inspection was made on 27.02.2018 in which it was found that the petitioner himself removed the encroachment. Copies of the Joint Inspection Report dated 27.02.2018 and letter of petitioner addressed to the

Executive Engineer, National Highway, Haldwani dated 26.02.2018 are being filed herewith and marked as Annexure No. CA-1 & 2 to this affidavit.â??

4. Since petitioner has removed the encroachment, therefore, the reliefs as claimed in the writ petition do not survive.

5. Accordingly, the writ petition fails and is dismissed. No order as to costs.