

(2025) 02 UK CK 1008

In the Uttarakhand High Court

Case No : Writ Petition No. 262 Of 2025 (M/S)

Praveen Kumar Alias Arun Kumar And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 13-02-2025

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2025) 02 UK CK 1008

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Himanshu Pal, Suyash Pant

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. The present writ petition under Article 226 of the Constitution of India has been filed with the following prayers : -

“(i) Issue a writ, order or direction in the nature of mandamus commanding/ directing respondent nos. 2 and 3 for the demarcation of path (Chak road) situated at kharsa no. 410, in village- Kanawali, Raisingh, Pargana Goverdhanpur, Tehsil Laksar, Haridwar and clean it on the spot.

(ii) Issue a writ, order or direction in the nature of mandamus commanding/ directing respondent nos. 2 and 3 for demarcation of khasra no. 453m, area 1.351 Hect, situated at village Kanawali, Raisingh, Pargana Goverdhanpur, Tehsil Laksar, Haridwar.

(iii) Issue a writ, order or direction in the nature of mandamus commanding/ directing respondent nos. 3 to decide the representation dated 25.11.2024 of the Petitioners herein (Annexure no.2).”

2. Heard Mr. Himanshu Pal, learned counsel for the petitioners and Mr. Suyash Pant, learned Standing Counsel for the respondent nos.1 to 3.

3. Mr. Himanshu Pal, Advocate, has contended that the petitioners are permanent resident of Village Kanawali, Raisingh, Pargana Goverdhanpur, Tehsil Laksar, Haridwar. They are joint owners of land (Khasra no.453, area 1.351 Hect.). The farmers of the adjacent land are trying to merge the petitioners' filed with their field by breaking the petitioners' field boundaries and they (farmers) have also merged the government land (barren). The petitioners have made a representation dated 25.11.2024 to the Sub Divisional Magistrate, Laksar, District Haridwar, the respondent no.3, for demarcation of path (Chak road), situated at Khasra no.410. The said representation is still pending.

4. Mr. Himanshu Pal, Advocate has requested to decide the present writ petition directing the respondent no.3 to decide the said representation of the petitioners as expeditiously as possible.

5. Mr. Suyash Pant, Standing Counsel appearing for the respondent nos.1 to 3 has sought eight weeks' time to decide the said representation dated 25.11.2024 by the respondent no.3.

6. With the consent of learned counsel for both the parties, the present writ petition is disposed of with a direction to the Sub Divisional Magistrate, the respondent no.3, to decide the said representation dated 25.11.2024 by speaking and reasoned order as expeditiously as possible, but not later than eight weeks from the date of production of the certified copy of this order.

7. It is made clear that this Court has not expressed any opinion on the merit of the case.