
(2021) 03 UK CK 0097

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 590 Of 2021

Ram Prakash Yadav And Another

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 12-03-2021

Acts Referred:

Citation : (2021) 03 UK CK 0097

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : C.K. Sharma, T.S. Phartiyal

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. Petitioners are residents of Village Anandpur, Raghav Nagar (Pandri), Tehsil Kichha, District Udham Singh Nagar. According to them, due to change in course of river, the land belonging to the petitioners has gone to the side of Village Inderpur. By means of this writ petition, petitioners have sought following relief:

"(i) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to handover the possession of the Khat No. 447 measuring 0.300 hectare, Khat No. 446 measuring 0.0130 hectare, Khat No. 446 (Ka) Min measuring 0.1940 hectare and Khat No. 445, 446 (Ka), 449 total measuring 0.8280 hectare, situated at Village Anandpur, Raghav Nagar (Pandri), Tehsil Kichha, District Udham Singh Nagar to the writ petitioners forthwith or within a period which this Hon'ble Court deem fit and proper in the present circumstances of the case."

3. Learned counsel for the petitioners submits that similar controversy was decided by this Court vide order dated 03.11.2020 in WPMS No. 2007 of 2020. He, therefore, confines his prayer and submits that writ petition may be disposed of in terms of the said order.

4. Learned Additional C.S.C. submits that he has no objection, in case the writ petition is disposed of in terms of the said order.

5. Since the controversy involved now stands settled by the aforesaid judgment, therefore, the writ petition is disposed of in terms of the judgment dated 3.11.2020 rendered in WPMS No. 2007 of 2020 and it is provided that petitioners shall be at liberty to make representation to Sub-Divisional Magistrate, Kichha, District Udham Singh Nagar within ten days from today. If such representation is made within the stipulated time, the concerned S.D.M. shall look into the matter and take appropriate decision, in accordance with law, within ten weeks from the date of receipt of representation alongwith certified copy of this order.