

**(2024) 12 UK CK 0031**

**Uttarakhand High Court**

**Case No:** Writ Petition No. 3375 Of 2024 (M/S)

Babu Hasan

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

**Date of Decision:** Dec. 9, 2024

**Acts Referred:**

- Constitution Of India, 1950 - Article 226

**Hon'ble Judges:** Alok Kumar Verma, J

**Bench:** Single Bench

**Advocate:** Sadaf, 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 : -

â€œ(I) To issue a writ, order or direct ion in the nature of mandamus commanding the respondent no. 1, 2 and 3 not to raise the construction over the ceiling land in question.

(I I) To issue a writ, order or direction in the nature of mandamus commanding the respondent no. 2 and 3 to decide the representation dated 24.10.2024. (Annexure No. 4 to this writ pet it ion).

(I I I) To issue a writ, order or direction in the nature of mandamus to the Respondent No. 1, 2 and 3 to maintain a status quo with regard to the establishment in question till the final disposal of the present case.

(IV) To issue any other writ, order or direction which this Hon'ble Court may deem fit and proper in view of the facts and circumstances of the

case.â€

2. Heard Ms. Sadaf, learned counsel for the petitioner and Mr. Suyash Pant, learned Standing Counsel for the respondent nos. 1 to 4.

3. Ms. Sadaf, Advocate, submitted that the respondents are going to raise a building of police station over a ceiling land, which was allotted in the

year 2018. They are adamant to construct the building of the police station without adopting due process of law.

4. Ms. Sadaf, Advocate, has prayed to decide the present Writ Petition by directing the respondent no. 2 - District Magistrate, Haridwar to decide the

petitionerâ€™s fresh representation, which he will submit before the respondent no. 2 within a week from today.

5. Mr. Suyash Pant, Advocate, has sought three weeksâ€™ time to decide the representation of the petitioner.

6. Ms. Sadaf, Advocate, agrees to the time limit proposed by Mr. Suyash Pant, Advocate.

7. With the consent of both the parties, the present Writ Petition (WPMS No. 3375 of 2024) is disposed of with the direction to the respondent no. 2 t

hat if representation is moved by the petitioner with a certified copy of this order within one week from today, the said representation shall be

decided in accordance with law within three weeks from the date of the representation of the petitioner.

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