
(2024) 12 UK CK 0081

Uttarakhand High Court

Case No: Writ Petition No. 3486 Of 2024 (M/S)

Mahipal Singh Bhandari

APPELLANT

Vs

Mussoorie Dehradun
Development Authority

RESPONDENT

Date of Decision: Dec. 26, 2024

Acts Referred:

- Constitution Of India, 1950 - Article 226

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Rishab Ranghar, Pawan Sanwal, Rahul Consul

Final Decision: Disposed Of

Judgement

Alok Kumar Verma, J

1. Mr. Rishab Ranghar, Advocate, has submitted that the petitioner Mahipal Singh Bhandari is the owner of the property forming part of khasra no.

48/1 area 103.39 square meter, situated at Mauza Markham Grant I, Pargana Parwadoon, Tehsil Doiwala, District Dehradun. The petitioner submitted

his construction / compounding plan before the respondent on 04.11.2024. The property of the petitioner was sealed on 13.11.2024. Petitioner had filed

an appeal before the Court of Commissioner Garhwal Mandal Camp, Dehradun (Appeal No. 22 of 2024 - 25). The Appellate Authority heard the

matter on 14.11.2024 and directed the respondent to dispose of the map within the time span of 15 days and de- seal the said property for one day to

enable the petitioner to remove his goods from the said property.

2. The amended prayer of the writ petition, filed by the petitioner, is taken on record.

3. The present petition has been filed by the petitioner under Article 226 of the Constitution of India with the following prayers: -

“(I) Issue a writ, order or direction in the nature of mandamus directing the respondent to de-seal the property for 30 days so that petitioner can

take out his goods and belongings of ground floor (commercial) and second floor (residential) from property forming part of Khasra no. 48/ 1 ma Area

103.39 Sq.mts. situated at Mauza Markham Grant I, Pragana Parwadoon, Tehsil Doiwala, Dehradun.

(II) Issue a writ, order or direction, which this Hon'ble Court may deem fit and proper under the circumstances of the case.

(III) Award the cost of the petition.”

4. Mr. Pawan Sanwal, Advocate, has submitted on instructions that de-sealing the property - in - question for 10 days would be sufficient.

5. Mr. Rishab Ranghar, Advocate, agrees with the said submission of the learned counsel appearing for the respondent.

6. After hearing the contentions of the parties, the present writ petition (WPMS No. 3486 of 2024) is disposed of by directing the respondent to de-

seal the property - in - question for a period of 10 days to allow the petitioner to remove his goods and belongings from the property - in - question.

7. It is clarified that during the granted period, the petitioner will not do any other work in the property - in - question, i.e. will not make any change in

the property - in - question. The petitioner will only remove his goods and belongings from the property - in - question.