



2025:UHC:10790-DB

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI G. NARENDAR
AND

HON'BLE SRI JUSTICE SUBHASH UPADHYAY

04TH DECEMBER, 2025

WRIT PETITION (M/ B) No. 976 OF 2025

Jitendra Verma. ..Petitioner

Versus

State of Uttarakhand and another. ..Respondents

With

WRIT PETITION (M/ B) No. 978 OF 2025

Subhash Gupta. ..Petitioner

Versus

State of Uttarakhand and another. ..Respondents

WRIT PETITION (M/ B) No. 979 OF 2025

Ramkumar. ..Petitioner

Versus

State of Uttarakhand and another. ..Respondents

Counsel for the petitioners. : Mr. Akshay Pradhan, Mr. Vishal Kumar Nautiyal
& Ms. Shalini Thakral, learned counsels.

Counsel for respondent no. 1. : Mr. Gajendra Tripathi, learned ACSC for the
State of Uttarakhand.

Counsel for respondent no. 2. : Mr. Ashutosh Thakral, learned counsel.

COMMON JUDGMENT : (per Sri G. Narendar, C.J.)

Heard the learned counsel for the petitioners, learned
ACSC for the State, and learned counsel for the Nagar Palika.

2. Counsel for the petitioners would submit that the
procedure, as stipulated by the Hon'ble Apex Court, and as
mandated by this Court, is being violated, i.e. an opportunity of
hearing is not being provided to the noticees; & that action is
about to commence for demolition of the structures.

3. Per contra, learned counsel for the Nagar Palika
would submit that no demolition action has been initiated as
yet, and that show-cause notices have been issued, and replies
received; and that the replies are under consideration; and that



2025:UHC:10790-DB

an opportunity of hearing would be given to the parties by intimating them in writing, and obtaining their acknowledgement, and that the parties would be heard on the date, so fixed by the respondent-Nagar Palika.

4. In that view, we are of the opinion that instant Writ Petitions can be disposed of by placing on record the submission of the learned counsel for the Nagar Palika.

5. Accordingly, the noticees shall be notified of a date of personal hearing, and thereafter the Nagar Palika shall pass fresh reasoned orders on the merits and demerits of the claims raised by the noticees. It is made clear that the demolition action shall be kept in abeyance till the completion of personal hearing, and passing of reasoned orders. The hearing and passing of reasoned orders shall be within an outer limit of four weeks from today.

6. The Writ Petitions stand ordered accordingly.

As a sequel thereto, the miscellaneous petitions, if any pending, shall stand closed.

G. NARENDAR, C.J.

SUBHASH UPADHYAY, J.

Dt: 04th December, 2025

Rahul
RAHUL
PRAJAPA
TI