



2026:UHC:1731

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

16th MARCH, 2026

WRIT PETITION NO. 2299 OF 2017 (M/ S)

Kalawati Bisht

..... Petitioner

Versus

Smt. Shashi Bisht and Others

....Respondents

Counsel for the Petitioner : Mr. Pradeep Chamyal, Advocate.

Counsel for the Respondent : Mr. Kishore Kumar, Advocate.
Nos. 1 & 3

Hon'ble Alok Kumar Verma, J.

According to the petitioner, she is the daughter of Smt. Basanti Devi. Smt. Basanti Devi was married to Ramesh Singh Bisht. Shri Ramesh Singh Bisht died on 07.01.2000. The petitioner was appointed under dying-in-harness rules in place of her father as IVth class employee in Udhyan Vibhag, Rudrapur on 04.03.2003. A succession case (Case No. 54 of 2001) was filed by Smt. Shashi Bisht, the respondent no.1, claiming to be the wife of Ramesh Singh Bisht to obtain a succession certificate. According to her, respondent no.2 and respondent no.3 are sons of Ramesh Singh Bisht. The succession case was allowed by learned Civil Judge (Senior Division) / Chief Judicial Magistrate, Udham Singh Nagar on



24.09.2002. Smt. Basanti Devi filed an application (Miscellaneous Case No. 35 of 2006) challenging the order dated 24.09.2002. The said Miscellaneous Case, filed under Section 383 of the Indian Succession Act, 1925, was dismissed by the learned Ist Additional Civil Judge (Senior Division), Udham Singh Nagar vide judgment dated 20.10.2010. Smt. Basanti Devi and the petitioner had filed an appeal (Miscellaneous Civil Appeal No. 87 of 2010) against the judgment dated 20.10.2010. Basanti Devi passed away during the pendency of the appeal. The said appeal has been dismissed by learned IInd Additional District Judge, Udham Singh Nagar vide judgment dated 04.10.2016. Hence, the present writ petition under Article 227 of the Constitution of India.

2. The matter was referred for mediation on 26.02.2026. The parties have settled their disputes before the Mediator on 26.02.2026. Ms. Lata Negi, Advocate, the Mediator, recorded the terms and conditions of the settlement.

3. Mr. Pradeep Chamyal, learned counsel for the petitioner.

4. Mr. Kishore Kumar, learned counsel for the respondent nos. 1 and 3.

5. The petitioner, Kalawati Bisht, is present through video conferencing. She is identified by Mr.



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Pradeep Chamyal, Advocate.

6. The respondent no.1, Smt Shashi Bisht, is present through video conferencing. She is identified by Mr. Kishore Kumar, Advocate.

7. The parties submitted that they have settled their disputes before the mediator with their free will and without any pressure. They are requesting to decide the present writ petition in terms and conditions recorded by the mediator.

8. The present writ petition (WPMS No. 2299 of 2017) is decided on the terms and conditions recorded by the mediator on 26.02.2026 in Mediation Case No. 97 of 2026, "Kalawati Bisht Vs. Smt. Shashi Bisht and Others".

9. Consequently, the order dated 29.09.2002, passed by learned Civil Judge (Senior Division) / Chief Judicial Magistrate, Udham Singh Nagar is modified accordingly.

10. The settlement, recorded by the mediator on 26.02.2026 in the Mediation Case No. 97 2026, will be part of this order.

ALOK KUMAR VERMA, J.

Date: 16.03.2026
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