



2026:UHC:1556

IN THE HIGH COURT OF UTTARAKHAND  
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

11<sup>th</sup> MARCH, 2026

WRIT PETITION NO. 3588 OF 2023 (M/ S)

Shri Avdesh Singh and Another ..... Petitioners

Versus

State of Uttarakhand and Others ..... Respondents

Counsel for the Petitioners : Ms. Devanshi Joshi, Advocate  
holding brief of Mr. K.R. Gazi,  
Advocate.

Counsel for the Respondent : Mr. Sudhir Kumar Nailwal,  
No.1 Brief Holder.

Counsel for the Respondent : Mr. Anoop Jaiswal, Advocate.  
Nos. 3 and 4

Hon'ble Alok Kumar Verma, J.

Late Shri Shivji Singh had filed a Partition Suit (Revenue Case No. 22/71 of the year, 2008-09) against the petitioners (herein) under Section 176 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 (as applicable in the State of Uttarakhand). The Sub-Divisional-Magistrate / Assistant Collector, Ist Class, Rurdrapur, District Udham Singh Nagar decreed the suit and passed a preliminary decree on 26.03.2009 and on the basis of the preliminary decree, a final decree was passed on 05.08.2010. The respondent no.3 and the



respondent no.4 (herein) are the sons of late Shivji Singh. The petitioner no.1 had filed a Restoration Application (Miscellaneous Case No. 8 of 2017-18) on 23.02.2018 against the preliminary decree and final decree. The Restoration Application was allowed by Assistant Collector / Sub-Divisional-Magistrate, Rudrapur on 15.07.2022. A Revision (No. 61/2021-2022/44/22-23) was filed by the respondent no.3 and the respondent no.4. The said revision has been allowed by Additional Commissioner, Kumaon Division, Nainital vide impugned judgment and order dated 19.09.2023.

2. The petitioners and the private respondents (respondent no.3 and respondent no.4) have filed a Compromise Deed dated 28.10.2024 (annexure no.1 to Civil Miscellaneous Application No. 3 of 2024) along with their affidavits.

3. Ms. Devanshi Joshi, learned counsel holding brief of Mr. K.R. Gazi, learned counsel for the petitioners.

4. Mr. Sudhir Kumar Nailwal, learned Brief Holder for the respondent no.1.

5. No one is present for respondent no.2.

6. Mr. Anoop Jaiswal, learned counsel for the respondent nos. 3 & 4.

7. Petitioners Shri Avdesh Singh and Shri Jitendra Singh are present in-person. They are identified by Ms.



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Devanshi Joshi, Advocate.

8. The respondent no.3 Shri Radheshyam Singh and the respondent no.4 Shri Dhamendra Singh are present in-person. They are identified by Mr. Anoop Jaiswal, Advocate.

9. Both, the petitioners and the private respondents submitted that they have settled their disputes amicably. They have filed the Compromise Deed dated 28.10.2024 (annexure no.1) with their free will and without any pressure. They are requesting to decide the present writ petition, filed under Article 227 of the Constitution of India, in terms and conditions of the Compromise Deed dated 28.10.2024 (annexure no.1).

10. Perused and gone through the record.

11. The present Writ Petition (WPMS No.3588 of 2023) is disposed of in terms and conditions of the Compromise Deed dated 28.10.2024 (annexure no.1). The Compromise Deed dated 28.10.2024 (annexure no.1) shall form part of this order.

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ALOK KUMAR VERMA, J.

Date: 11.03.2026  
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