2025:UHC:10146

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Misc. Single No. 3169 of 2025

17 November, 2025

Janki Devi

--Petitioner

Versus

State Of Uttarakhand & another

--Respondents

Presence:-
Mr. Sachin Veer Singh, learned counsel for the petitioner.
Mr. S.K. Nailwal, learned Standing Counsel with Mr. Bhupendra Koranga, learned Brief Holder for the State.

Hon'ble Pankaj Purohit, J.

This writ petition under Article 227 of the Constitution of India has been filed by the petitioner seeking a direction to the SDM/Assistant Collector, 1st Class, Ramnagar, District Nainital, to expedite the hearing of Case No. 05/20 of the year 2024–25, *Janki Devi vs. State of Uttarakhand*, filed under Section 41 of the Land Revenue Act, 1901, for demarcation of the land comprised in Khasra No. 32 of Khata Khatoni No. 09, admeasuring 3.968 hectares in Khatoni Fasli Year 1429–1434.

2. It is contended by the learned counsel for the petitioner that an application under Section 41 of the Land Revenue Act, 1901, for the aforesaid purpose, was moved by the petitioner on 16.05.2025, and the requisite fee for the said proceedings, amounting to Rs. 5,700/-, was deposited by the petitioner on 22.08.2025 after receipt of the challan from the SDM. He further contends that the said application has been pending disposal since May 2025.

3. Having considered the rival submissions of learned counsel for the parties, this Court is of the view that the proceedings are summary in nature, and such delay ought not to have occurred in the disposal of an application under Section 41 of the Land Revenue Act, 1901. A case is thus made out for issuance of a direction to respondent no. 2 to conclude and decide the said application within a stipulated time.

4. Accordingly, the writ petition is allowed. Respondent no. 2 is directed to hear and decide Case No. 05/20 of the year 2024–25, *Janki Devi vs. State of Uttarakhand*, under Section 41 of the Land Revenue Act, 1901, for demarcation of the land comprised in Khasra No. 32 of Khata Khatoni No. 09, admeasuring 3.968 hectares in Khatoni Fasli Year 1429–1434, finally and as expeditiously as possible, but not later than two months from the date of production of a certified copy of this order.

5. Pending application if any, stands disposed of.

(Pankaj Purohit, J.)
17.11.2025

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