SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	UKHC010035342021 2026:UHC:9919 COURT'S OR JUDGES'S ORDERS
	30.10.2026		WPMS No. 632 of 2021 **Suresh Kumar Mathur** **.....Petitioner** **Vs.** **Additional Chief Administrator Uttarakhand & others** **....Respondents** **Hon'ble Manoj Kumar Tiwari, A.C.J.** 1. Mr. Neeraj Garg, learned Senior Counsel assisted by Mr. Pankaj Kumar, learned counsel for the petitioner. 2. Mr. Devesh Ghildiyal, learned Standing Counsel with Ms. Swati Verma, learned Brief Holder for the State. 3. Mr. Rahul Consul, learned counsel for respondent nos.1, 3 and 4. 4. Sealing order was passed against petitioner by Joint Secretary, Mussoorie Dehradun Development Authority under Section 28-A of the Uttarakhand Urban and Country Planning and Development Act, 1973. Petitioner challenged the said order in an appeal, which was dismissed by learned Commissioner, Garhwal Division *vide* order dated 16.09.2019. Petitioner, thereafter, filed revision, which too was dismissed by Additional Chief Administrator, Uttarakhand Housing and Urban Development Authority *vide* order dated 30.05.2020. 5. Petitioner has challenged the orders passed by Joint Secretary, Commissioner and Additional Chief Administrator in this writ petition. 6. Learned Senior Counsel appearing for petitioner, however, confined his challenge to the order passed by Revisional Authority on 30.05.2020. He contended that although said order is running into eight pages, however, no reasoning has been given for dismissing revision petition filed by petitioner. He submits that in Paragraph No.1 of order dated 30.05.2020, grounds of revision have been reproduced, in Paragraph No.2, contents of sealing order have been reproduced, in Paragraph No.3, order passed by

Appellate Authority on 16.09.2019 is reproduced, in Paragraph No.4, compounding application filed by petitioner has been extracted, in Paragraph No.5, order passed by Coordinate Bench in Writ Petition (M/S) No.210 of 2020 has been reproduced and thereafter, and in Paragraph No.6, report of the concerned Junior Engineer has been extracted and thereafter, without making any discussion of the issues raised by petitioner in his revision petition, revision was dismissed by holding that title dispute *qua* property, in question is not within the jurisdiction of the revisional authority.

7. Upon perusal of impugned order, passed by Additional Chief Administrator/ Revisional Authority, this Court finds substance in the contention raised by learned Senior Counsel appearing for the petitioner. As many as 30 grounds were taken by petitioner in his revision petition, however, learned Additional Chief Administrator has failed to apply his mind to any of the contentions raised by petitioner.

8. On this short point alone, impugned order dated 30.05.2020 deserves to be set-aside and is, hereby, set-aside. Revision Petition No.537 of 2020 shall stand restored to file of Additional Chief Administrator, Uttarakhand Housing and Urban Development Authority, who shall decide the same as per law within six months.

9. This order, however, will not preclude the Development Authority from passing necessary order as per provisions of Uttarakhand Urban and Country Planning and Development Act, 1973 qua development raised by petitioner.

10. Petitioner shall be at liberty to file application for compounding of objectionable structure and if such application is moved within two weeks, same shall be considered as per law within six months thereafter.

11. Writ Petition is disposed of in above terms.

12. Pending application, if any, also stands disposed of.

(Manoj Kumar Tiwari, A.C.J.)
30.10.2026

NISHANT

NISHANT KUMAR