2026:UHC:2978

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Misc. Single No. 817 of 2026

23 April, 2026

Amreesh Kumar

--Petitioner

Versus

State Of Uttarakhand & others

--Respondents

Presence:-
Mr. Rajveer Singh, learned counsel for the petitioner.
Mr. Suyash Pant, learned Standing Counsel for the State.

Hon'ble Pankaj Purohit, J.

By means of present writ petition, petitioner has sought the following reliefs:-

> *"(i) Issue a writ, order or direction in the nature of mandamus to direct the respondent no.1, respondent no.2 or respondent no.3 to remove the illegal encroachment of the land of the petitioner and to demarcate the land of the petitioner bearing Chak No.433 GATA No.231 area 0.005 hectare, GATA No.232/1 area 0.987 hectare, GATA No.231/2 area 0.020 hectare, GATA No.233/1 area 0.199 hectare, GATA No.234/1 area 0.064 hectare, GATA No.235/2 area 0.010 hectare 235/3 area 0.060 hectare land situated Mauza Dhanauri Pargana & Tehsil Roorkee, District Haridwar (containing annexure no.1 Page No.12 to 13 to the writ petition.*
>
> *(ii) Issue a writ, order or direction in the nature of mandamus to impose the cost of rupees Ten lakhs and adverse entry in the service record to the respondent no.3."*

2. A preliminary objection has been raised by learned State Counsel that the writ petition is not

maintainable as the dispute relates to the private dispute.

3. The grievance raised by the petitioner is primarily against private encroachment and does not disclose any clear violation of a statutory or public duty by the State authorities warranting interference under Article 226 of the Constitution of India. It is a settled principle that writ jurisdiction is not maintainable in matters involving private disputes and disputed questions of fact, particularly relating to land ownership and possession.

4. In this view of the matter, the writ petition is dismissed in-*limine* as not maintainable.

5. Pending application, if any, stands disposed of accordingly.

(**Pankaj Purohit, J**.)
23.04.2026

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