SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
	06.11.2026		**WPPIL/53/2017** Gaurav Kumar Pundir --Petitioner **Versus** State off Uttarakhand and others --Respondents **Hon'ble Manoj Kumar Tiwari, A.C.J.** **Hon'ble Subhash Upadhyay, J.** 1. Sri Jai Krishna Pandey, learned counsel for petitioner. 2. Sri Rajeev Singh Bisht, learned Deputy Advocate General for the State of Uttarakhand. 3. Sri S.S. Chauhan, learned counsel for respondent No. 3. 4. Sri Piyush Garg, learned Senior Counsel assisted by Sri Raghav Singhal, learned counsel for private respondents. 5. Sri Lalit Miglani, learned counsel for respondent No. 10. 6. By means of this writ petition, petitioner has sought the following reliefs:- "*I. Issue a writ, order or direction in the nature of mandamus commanding the respondent no. 1 to take appropriate action against the private respondents and passing appropriate specific order to respondent no. 2, 3 & 4 to restrain private respondents from carrying out illegal construction activity at 3 Civil Lines, Roorkee.* *II. Issue a writ, order or direction in the nature of mandamus directing the respondent no. 2, 3 & 4 to take strict appropriate action against the private respondents to uphold the rule of law and to maintain probity and morality in the governance and not merely by filling the papers in file just to save their skin and not taking any actual, effective and real steps*

			on the ground. *III. Issue a writ, order or direction in the nature of mandamus restraining private respondents from carrying out any further construction or development activity at 3 Civil Lines, Roorkee till the final disposal of the case pending before the development authority bearing no. 112 and which has been found to be carried out on government land (Nazool Land) as per communication dated 01.12.2016, sent by respondent no. 2 to respondent no. 1.*" 7. Petitioner has raised the issue of unauthorized construction over government land by respondent Nos. 5 to 8, in violation of Building Bye-laws. 8. Sri S.S. Chauhan, learned counsel appearing for respondent No. 2, submits that private respondents filed application for compounding under one time settlement Scheme and part of the unauthorized structure was compounded vide order dated 03.03.2023. He further submits that structures, which are not compoundable, were directed to be removed. 9. On 12.08.2026, learned counsel appearing for private respondents, made a statement that in case the non-compoundable part of the construction has yet not been demolished, the same shall be demolished positively within two weeks. 10. Sri Piyush Garg, learned counsel appearing for private respondents, submits that respondent Nos. 5 to 8 have filed a Supplementary Affidavit dated 30.08.2026, in which it is mentioned that private respondents have demolished an area admeasuring approximately 700 sq. meters, subsequent to passing of the compounding order by the Development Authority and the remaining portion of the building could not be

			demolished as its demolition may pose threat to the main building. In Paragraph-7 of the Supplementary Affidavit, undertaking is given to demolish the remaining portion within a reasonable period, subject to decision of State Government on the application submitted by private respondents seeking relaxation in the minimum standards prescribed under the Building Byelaws, 2011. 11. Having regard to the fact that a substantial portion of the unauthorized construction has been removed and undertaking is given by private respondents that they will demolish the remaining unauthorized structures within a reasonable time, we dispose of the writ petition with a direction to respondents to remove the remaining non-compoundable portion within three months from today, if State Government does not grant relaxation under the applicable Building Byelaws within two months. The District Magistrate, Haridwar is directed to examine whether the construction in question is raised by encroaching over government land, or nazool land, and if it is found that it is constructed over government land, then necessary steps shall be taken by the District Magistrate for removal of encroachment within six months from today. 12. Let copy of this order be sent to District Magistrate, Haridwar for information, within 24 hours. **(Subhash Upadhyay, J.)** **(Manoj Kumar Tiwari, A.C.J.)** 06.11.2026 06.11.2026 Rathour
