2026:UHC:9693

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Misc. Single No. 2514 of 2026

27 October, 2026

Rahis Khan --Petitioner

Versus

State Of Uttarakhand and Others --Respondents

Presence:-

Mr. Bhupendar Prasad, learned counsel for petitioner.

Mr. Devendra Singh Bora, learned D.A.G. with Mr. B.S. Koranga, learned Brief Holder for the State of Uttarakhand/ respondent Nos.1, 2 and 5.

Mr. Vipul Sharma, learned counsel for respondent No.3-Nagar Nigam.

Mr. Raunak Pant, learned counsel holding brief of Mr. Naresh Pant, learned counsel for respondent No.4-NHAI.

Hon'ble Pankaj Purohit, J.

Petitioner has challenged the order dated 10.07.2026 (Annexure No.1) passed by respondent No.2 and notice dated 06.04.2026 (Annexure No.3) issued by respondent No.3, whereby, petitioner was directed to remove the encroachment over the land in-question.

2. Petitioner earlier filed a writ petition before this court, which was registered as WPMS No.948 of 2026 *Saleem Ahmed and Others Vs. District Magistrate Collector and Others*. The said writ petition was disposed of by this Court vide judgment and order dated 17.04.2026 directing respondent No.1 therein i.e. District Magistrate, Udham Singh Nagar to constitute a Committee consisting of not less than three senior officers, which should look into the complaints regarding encroachment. The petitioners therein were given liberty to submit their documents of ownership and possession before the said Committee within a period of one week and the

Committee was further directed to examine the same and to take a decision within 15 days, passing appropriate orders in accordance with law. Till such decision is taken by the Committee, respondents were restrained from removing petitioners therein from the land in-question.

3. Pursuant to aforesaid order, petitioner has submitted documents of his possession/ownership to three-member Committee and the three-member Committee has looked into the matter and passed the impugned order dated 10.07.2026.

4. Petitioner has challenged the notice dated 06.04.2026 issued by respondent No.3-Nagar Nigam, whereby, petitioner was directed to remove the encroachment over the land in-question, which was also challenged and decided in the earlier writ petition. Since petitioner has been heard by the respondents before passing the impugned order and the three-member Committee is of the opinion that possession of petitioner is in encroachment over the state land, therefore, petitioner has rightly been asked to vacate the premise.

5. In view of the aforesaid facts and circumstances of the case, this Court is of the view that no interference is warranted.

6. Accordingly, the present writ petition is dismissed *in-limine*.

7. Pending application, if any, stands disposed of.

(Pankaj Purohit, J.)
27.10.2026

PN