SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPMS/3382/2026 Anurag Saini --Petitioner **Versus** Mussorie Dehradun Development Authority --Respondent **Hon'ble Alok Mahra, J.** Mr. Abhilash Nainwal, learned counsel for the petitioner. 2. Mr. Ghanshyam Joshi, learned Addl. C.S.C. along with Mr. P.S. Bisht, learned Brief Holder for the State. 3. Mr. Rahul Consul, learned counsel for MDDA. 4. By means of the present writ petition, preferred under Article 226 of the Constitution of India, the petitioner seeks issuance of a writ, order or direction in the nature of certiorari, quashing the impugned objections dated 23.06.2026 issued by respondent no.1 in File No. R/1223/26-27, along with the consequential order of rejection, if any, whereby the petitioner's application for sanction of a residential building plan has been rejected on allegedly frivolous and untenable grounds. The petitioner further seeks a writ, order or direction in the nature of mandamus commanding respondent no.1 to consider and decide

			the petitioner's application for sanction of the building plan in accordance with law and to permit the petitioner to raise construction over the land recorded in Khatauni Khata No.236, Khasra No.269 Ka, admeasuring 92.93 square metres, situated at Mauja Gurada Mansingh, Pargana Parwadoon, Tehsil and District Dehradun. The petitioner also seeks a direction to respondent no.1 to consider the aforesaid application upon the petitioner furnishing an undertaking in terms of the order dated 09.10.2025 passed by this Court in Writ Petition (M/S) No.2799 of 2025. 5. Mr. Rahul Consul, learned counsel appearing for the MDDA, on instructions, would submit that one of the co-sharers of the land, over which the proposed construction is to be raised, had instituted a partition suit. The said suit has been decided by the learned Trial Court, and the matter is presently pending in appeal before the learned Collector, First Class, Dehradun. He would further submit that, in the event the matter is remanded by the learned Commissioner, Garhwal Division, difficulty is being faced by the MDDA in sanctioning the building plan, as the portion of land which may ultimately fall to the petitioner's share has not yet been identified. 6. Mr. Rahul Consul, however, submits that if petitioner gives an undertaking in the form of an affidavit that in case any adverse order is passed against petitioner in the pending appeal, then he alone shall

			be responsible for all consequences that may ensue. 7. The writ petition is disposed of in view of the statement made by Mr. Consul with liberty to petitioner to move application afresh along with an undertaking/affidavit in terms of the statement made by Mr. Consul. 8. If petitioner makes such application within ten days from today, the competent authority shall consider petitioner's request and pass appropriate order, as per law, within six weeks thereafter. **(Alok Mahra, J.)** 03.11.2026 Mamta
