HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Misc. Single No. 3395 of 2026

04 November, 2026

Veenu Alias Benyameen --Petitioner

Versus

State Of Uttarakhand and Others --Respondents

Presence:-

Mr. Nikhilesh Bisht and Mr. Shaurya Mahara, learned counsel holding brief of Mr. Akhil Kumar Sah, learned counsel for petitioner.

Mr. Rahul Verma, learned A.A.G. for the State of Uttarakhand.

Hon'ble Pankaj Purohit, J. (Oral)

Petitioner is before this Court for a direction to respondent no.2-District Magistrate, Dehradun, to decide the transfer application dated 15.10.2026 filed by the petitioner before respondent No.2 (Annexure no.3).

2. It is contended by learned counsel for the petitioner that a notice under Section 211 of the U.P. Zamindari Abolition and Land Reforms Act, 1950 (hereinafter referred to as the "Act of 1950") was issued to petitioner and others by the learned Assistant Collector-First Class, Tuni, District-Dehradun, calling upon the petitioner and others to show cause as to how they came into possession of the land bearing the Khasra number(s) mentioned in the said notice and to submit reply thereto on or before 16.10.2026. It was further stated in the notice that, in the event of failure to submit a reply within

the stipulated period, it would be presumed that the land belonging to the Scheduled Caste/Scheduled Tribe category had been illegally occupied, whereupon proceedings under Section 211 of the Act of 1950 would be initiated.

3. Learned counsel for the petitioner submits that petitioner would move an appropriate application for transfer invoking power under Section 192 of Act of 1901 for transferring his case from the court of learned Assistant Collector, Ist Class, Tuni, Dehradun, to any other court in Tehsil-Vikasnagar or Dehradun. He also submits that the present case is squarely covered by the judgment and order dated 03.11.2026 passed by this Court in WPMS No.3394 of 2026 *Shamsheer Ali Vs. State of Uttarakhand and Others*, and the same can be decided in terms of the aforesaid judgment.

4. The said fact is admitted by learned State Counsel that the present matter can be decided in terms of the aforesaid judgment.

5. In such view of the matter, the present writ petition is disposed of in terms of judgment and order dated 03.11.2026 passed by this Court in WPMS No.3394 of 2026 *Shamsheer Ali Vs. State of Uttarakhand and Others*. Petitioner is permitted to move proper application in proper form before the learned Collector, Dehradun, under Section 192 of Act of 1901 within fifteen days' from today and if such a transfer application is moved by the petitioner, the same shall be dealt with by the learned Collector, in

accordance with law, after putting the applicant/ complainant on notice, expeditiously.

6. In the aforesaid background, it is provided that proceedings of Case No.21 of 2026-27, *Sh. Manoj Bijalwan and Another Vs. Mohd. Roshan Bibi and Others*, under Section 211 of the Act of 1950 shall remain stayed only for 15 days.

7. It is also made clear that the aforesaid interim order shall operate for a period of 15 days' or till the transfer application is moved before the Collector, whatever is earlier.

8. Pending application(s), if any, stands disposed of.

(**Pankaj Purohit, J**.)
04.11.2026

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