



2026:UHC:3861

Sl. No.	Date	Office hours, requests, orders or proceedings or directions and Registrar's order (with attachments)	COURT'S OR JUDGE'S ORDERS
			WPMS No.1364 of 2026 <u>Hon'ble Manoj Kumar Tiwari, J.</u> Mr. Devesh Bishnoi, learned counsel for the petitioner (appeared through V.C.). 2. Mr. Suyash Pant, learned Standing Counsel for the State. 3. According to petitioner, he built a residential house over Plot No.390 situate at Village Salempur Mahdood, Tehsil Roorkee, District Haridwar. He is aggrieved by notice dated 02.05.2025 issued by Deputy Revenue Officer, Establishment (Rehabilitation) Division, New Tehri, whereby petitioner was asked to remove his unauthorized encroachment over Plot No.58-A. 4. Petitioner contends that plot of land over which his house is built belongs to his friends, namely, Irfan and Israr, both sons of Noora, who have permitted petitioner to raise construction over their land. He submits that Irfan and Noora have filed a suit for injunction against three persons, which is pending in the Court of the learned Civil Judge (Junior Division), Haridwar. The said suit was filed on or after 28.04.2026. Petitioner thus submits that he is unnecessarily being harassed by the respondents, and they are threatening the petitioner to demolish his house if he fails to vacate the land in-question. He further submits that the land in-question is part of Plot No.399. 5. Learned State Counsel, however, refers to an order passed by this Court in WPMS No. 2486 of 2025. He submits that the said order was passed on a petition filed by one Ram Chandra Nautiyal, who sought a direction to



remove encroachment over the land allotted to him by Director Rehabilitation in lieu of his land situated in District Haridwar, which was acquired for Tehri Dam Project. State Counsel submits that writ petition filed by Ram Chandra Nautiyal was disposed of by permitting him to make a representation to respondent no.2, Director Rehabilitation, and Director was asked to take a decision on the representation after providing an opportunity of hearing to Shivakant Pathak (petitioner herein). He submits that petitioner has, in fact, encroached upon the land which was allotted to Mr. Ram Chandra Nautiyal by Director Rehabilitation, and now petitioner has concocted a false story of gift of land in his favour by his friends.

6. State Counsel submits that there is nothing on record to show that either petitioner or his friends, who allegedly own the land in-question, are the owners thereof. He also submits that petitioner does not have any locus to maintain this writ petition, as only a person who claims ownership rights alone can maintain a writ petition against the eviction notice.

7. This Court finds substance in the submissions made by learned State Counsel. Even otherwise, relief sought by petitioner in this writ petition can only be granted by Civil Court, as this Court cannot adjudicate disputed questions of fact, and more so, title disputes cannot be resolved in a writ petition. Thus, there is no scope for interference, and the writ petition is dismissed.

(Manoj Kumar Tiwari, J.)

19.05.2026



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