



2026:UHC:4709-DB

HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

12th June, 2026

Writ Petition (PIL) No.77 of 2026

Anwar Ahmad

-----Petitioner

Versus

State of Uttarakhand and Others

----Respondents

Presence:-

Mr. Hari Mohan Bhatia and Mr. Altaf Hussain, learned counsel for the petitioner.

Mr. Amrendra Pratap Singh, learned Additional Advocate General with Mr. Gajendra Tripathi, learned Standing Counsel for the State.

JUDGMENT: (per Manoj Kumar Gupta, C.J.)

1. The present writ petition has been filed in public interest praying for a direction to respondent nos.1 to 4 to remove the encroachments made by the private respondents over Khasra No. 1290 area 0.203 hectare, recorded as rasta, and in Khasra No.1082, recorded under category 6(4) (Khanti) (Government land), area 0.278 hectare, and restore the pathway for use of public at large.

2. Learned State Counsel has placed on record the instructions received from Tehsildar, Rudrapur. According to it, a Committee has been constituted for carrying out demarcation at the site and it is stated that after said exercise is over, if any encroachment is



2026:UHC:4709-DB

found, it would be removed.

3. In view of the fact that the official respondents are already examining the matter, no further direction is required to be issued except for the observations that appropriate action be taken strictly in accordance with law and, in case, any encroachment is found.

(MANOJ KUMAR GUPTA, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 12.06.2026

PP/