

**IN THE HIGH COURT OF UTTARAKHAND  
AT NAINITAL**

ON THE 25<sup>TH</sup> DAY OF FEBRUARY, 2022

BEFORE:

HON'BLE SHRI JUSTICE MANOJ KUMAR TIWARI

Writ Petition (M/S) No. 352 of 2022

**BETWEEN:**

Mr. Mustafa.

....Petitioner

(By Mr. Rajveer Singh, Advocate)

**AND:**

Deputy Director/Conservator of Forest,

Rajaji Tiger Reserve, Dehradun. ...Respondent

(By Mr. Narain Dutt, Brief Holder for the State of Uttarakhand  
and Mr. Gaurav Singh, Advocate for the caveator)

**JUDGMENT**

Petitioner was allotted an agricultural plot under "*Gujjar Punarvas Yojna*". The said patta has now been cancelled on a complaint made by one Mrs. Jamila, in which it is alleged that petitioner has fraudulently transferred the land allotted to him, by means of an unregistered document.

2. In this writ petition, petitioner has contended that petitioner was not heard before cancelling the patta.

3. Learned counsel for the petitioner has referred to an objection, which petitioner allegedly filed before Deputy Director/Conservator of

Forest, Rajaji Tiger Reserve, Dehradun, on 07.02.2022.

4. After arguing for a while, learned counsel for the petitioner confines his prayer and submits that Deputy Director, Rajaji Tiger Reserve, Dehradun may be directed to consider petitioner's objection and pass appropriate order.

5. Learned Brief Holder for the State has no objection, if the prayer made by petitioner's counsel is granted.

6. Accordingly, writ petition is disposed of with a direction to Deputy Director, Rajaji Tiger Reserve, Dehradun to consider petitioner's objection and take appropriate decision, as per law, within six weeks from the date of production of certified copy of this order. Till decision on objection, the standing crop on the plot in question, if any, shall not be damaged.

7. It goes without saying that Mrs. Jamila shall also be heard by Deputy Director, before taking any decision.

**(MANOJ KUMAR TIWARI, J.)**