

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE CHIEF JUSTICE MS. RITU BAHRI
AND
HON'BLE MR. JUSTICE RAKESH THAPLIYAL

WRIT PETITION (PIL) NO. 111 OF 2024

28TH JUNE, 2024

Kalimulla Khan Petitioner

Versus

State of Uttarakhand & others Respondents

Counsel for the petitioner : Mr. S.S. Yadav, learned counsel

Counsel for the respondents : Mr. Amarendra Pratap Singh,
learned Additional Advocate
General for the State / respondent
Nos. 1, 4 & 5

: Mr. Rahul Consul, learned counsel
for respondent Nos. 2, 3, 6 & 7

The Court made the following:

JUDGMENT: (per Hon'ble The Chief Justice Ms. Ritu Bahri)

The petitioner, who claims himself to be a social activist and public spirited person, has preferred the present writ petition seeking direction to respondent Nos. 1 to 5 to restrain the respondent Nos. 6 and 7 from raising construction of community Hall in the park at Asima Vihar Colony, situated at Village Sivala Khurd, District Dehradun.

2) The petitioner is neither a resident of Asima Vihar Colony, nor a member of the Cooperative Housing Society. According to the counsel for respondent Nos. 2, 3, 6 and 7, as per layout plan the land in question was meant for community purposes, and the petitioner is not even a resident member of the co-operative housing society.

3) In such view of the matter, the writ petition is dismissed with cost quantified at rupees twenty thousand to be paid by the petitioner to the High Court Legal Services Authority at Naintial, within a period of fifteen days from today.

4) Pending application, if any, also stands disposed of.

RITU BAHRI, C.J.

RAKESH THAPLIYAL, J.

Dt: 28TH JUNE, 2024
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