

No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPMS No.1892 of 2024  <u>Hon'ble Manoj Kumar Tiwari, J.</u></p> <p>Mr. Lalit Goswami and Mr. Deepak Chandra, Advocates for the petitioner.  Mr. Suyash Pant, Standing Counsel for the State of Uttarakhand.</p> <p>2. According to petitioner, there is an ancestral land belonging to his family and petitioner wants the land, which has come to his share, to be separated.</p> <p>3. By means of this writ petition, petitioner has sought the following reliefs:</p> <p>"i) issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to consider the case of the petitioner for transferring the ancestral land (Patta land) in favour of the petitioner being the legal heir of Lat Nand Ram.</p> <p>ii) issue a writ, order or direction in the nature of mandamus commanding and directing the respondent no.2 &amp; 3 to decide the representation of the petitioner dated 24-06-2024."</p> <p>4. Learned State Counsel submits that petitioner is seeking partition of a joint holding, therefore, he would have to file a suit for partition under Section 176 of Z.A. &amp; L.R. Act.</p> <p>5. This Court finds substance in the submission made by learned State Counsel. The relief of partition cannot be granted in a writ petition.</p> <p>6. Accordingly, the writ petition is disposed of with liberty to petitioner to approach the appropriate forum.</p> <p style="text-align: right;">(Manoj Kumar Tiwari, J.)  31.07.2024</p> <p>Arpan</p>

