

ITEM NO.31

COURT NO.14

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No.8766/2020

[Arising out of impugned final judgment and order dated 06-01-2020 in WPMS No. 2927/2017 passed by the High Court of Uttarakhand at Nainital]

SATNAM SINGH & ORS.

Petitioner(s)

VERSUS

STATE OF UTTARAKHAND & ORS.

Respondent(s)

IA No. 66717/2020 - EXEMPTION FROM FILING O.T.

IA No. 124183/2020 - EXEMPTION FROM FILING O.T.

IA No. 120905/2020 - EXEMPTION FROM FILING O.T.

IA No. 66718/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 117332/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 20-01-2025 This matter was called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE R. MAHADEVAN**

**For Petitioner(s) :Mr. Abhimanyu Bhandari, Sr. Adv.
Mr. Vinay Preet Singh, Adv.
Mr. Anup Kumar, AOR
Mr. Varun Kalra, Adv.
Ms. Kritika sumbally, Adv.
Mr. Samir Malik, Adv.
Mrs. Neha Jaiswal, Adv.
Ms. Pragya Choudhary, Adv.
Mr. Shivam Kumar, Adv.
Mr. Awanish Gupta, Adv.**

For Respondent(s) :

Ms. Vanshaja Shukla, AOR
Ms. Ankeeta Appanna, Adv.
Ms. Anubha Dhulia, Adv.

Mr. S.R.singh, Sr. Adv.
Mr. Sushant Kumar Yadav, Adv.
Mr. Prateek Yadav, Adv.
Mr. Ajay Yadav, Adv.
Mr. Mangal Prasad, Adv.
Mr. Gaurav Lomes, Adv.
Mr. Anurag Singh, Adv.
Mr. Prithvi Yadav, Adv.
Ms. Radha Rajput, Adv.
Mr. Dhroov Kumar Singh, Adv.
Mr. Ankur Yadav, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. The impugned order passed by the High Court which is
interlocutory in nature reads thus:-

“Mr. Arvind Vashishta, Senior Advocate, assisted by
Mr. Hemant Mahra, Advocate, holding brief of Mr.
Vivek Pathak, Advocate for the petitioners.
Mr. Vinod Nautiyal, Deputy Advocate General for the
State of Uttarakhand.
Mr. Siddhartha Singh, Advocate for respondent no. 9.
Heard learned counsel for the parties.
Learned Senior Advocate for the petitioners submits
that, as per news report, the State Government
has released fund for construction of a school
building over the land in question. He further
submits that news report would indicate that
inauguration of the building is to take place on
06.06.2020. He, therefore, submits that an interim
order may be passed restraining the respondents from

raising construction over the part of the land in question.

This Court is not inclined to restrain the authorities from constructing the school building, as it would be against the public interest.

In such view of the matter, it is, therefore, provided that construction of the school building may go on, however, it shall be subject to final outcome of the writ petition. The construction of the building will not cause any prejudice to the rights of the petitioners, if any."

2. On 13th August, 2020, while issuing notice a Coordinate Bench of this Court directed that the parties shall maintain status quo.

3. This order of status quo has continued till this date.

4. State wants to construct a school but a serious objection has been raised by the petitioners herein and that led to the filing of the writ petition in the High Court which is pending as on date. The school has not come up till this date because of the order of status quo.

5. At this point of time, the learned counsel appearing for the petitioners herein pointed out that in fact the school is now not going to be constructed at the disputed site i.e. on the land which is the subject matter of writ petition before

the High Court. The school is being constructed at some other place and therefore, they have no further grievance to redress.

6. In such circumstances, nothing survives in the Writ Petition which is pending as on date before the High Court.

7. The petitioners may now get their writ petition disposed of by the High Court.

8. The High Court is requested to take up the main matter i.e. the Writ Petition MS No.2927 of 2017 at the earliest and dispose it of in the wake of subsequent developments in accordance with law.

9. The petition stands disposed of accordingly.

10. Pending application(s), if any stands disposed of.

(CHANDRESH)
ASST. REG-CUM-P.S.

(POOJA SHARMA)
COURT MASTER (NSH)