

## VERDICTUM.IN

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	13.09.2023		<p>WPPIL No. 118 of 2021 <b><u>Hon'ble Vipin Sanghi, C.J.</u></b> <b><u>Hon'ble Rakesh Thapliyal, J.</u></b></p> <ol style="list-style-type: none"><li>1. Mr. Sandeep Tiwari, learned counsel for the petitioner.</li><li>2. Mr. J.C. Pande, learned Standing Counsel for the State of Uttarakhand.</li><li>3. In this Writ Petition, the grievance raised by the petitioner is that, though the reserve forest has been de-notified, and included in the municipal limits of Haldwani, no survey has been undertaken, with the result that the rights of the occupants have not been recognised, despite issuance of the notification dated 26.12.2016 (Annexure No. 4 at page No. 27 of the record).</li><li>4. Counter affidavit has been filed on behalf of respondent nos. 3 and 5, i.e. the District Magistrate, Nainital, and the Assistant Record Officer, Sub Divisional Magistrate, Haldwani respectively. No counter affidavit has been filed on behalf of the State.</li><li>5. We also find that the Municipal Corporation, Haldwani has not been impleaded as a party respondent. We direct the petitioner to implead the Municipal Corporation, Haldwani as a party respondent. Amended memo be filed within a week.</li><li>6. Issue notice to the Municipal Corporation, Haldwani.</li><li>7. Mr. Ashish Joshi, learned counsel appears and</li></ol>

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accepts notice on behalf of the Municipal Corporation, Haldwani. The Municipal Corporation, Haldwani should also file its counter affidavit within four weeks.

8. The State should also file its counter affidavit during the same period.

9. Rejoinders before the next date.

10. List on 16.04.2024.

**(Rakesh Thapliyal, J.)**  
**13.09.2023**

**(Vipin Sanghi, C.J.)**  
**13.09.2023**

Rahul