



HIGH COURT OF UTTARAKHAND AT NAINITAL
HON'BLE THE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA
AND
HON'BLE SRI JUSTICE SIDDHARTHA SAH
25TH AUGUST, 2026
SPECIAL APPEAL NO. 362 OF 2026

Canara Bank

.....Appellant.

Versus

State of Uttarakhand & others

....Respondents.

Counsel for the Appellant	:	Mr. M.K. Goyal, learned counsel.
Counsel for the State	:	Mr. J.C. Pande, learned Standing Counsel.
Counsel for the Union of India	:	Mr. Ananya Thapliyal, learned Standing Counsel through <i>video conferencing</i> .
Counsel for the NHAI	:	Mr. Raunak Pant, learned counsel through <i>video conferencing</i> holding brief of Mr. Naresh Pant, learned counsel.

JUDGMENT : (per Mr. Manoj Kumar Gupta, C.J.)

1. The present intra-court appeal is directed against the order of learned Single Judge dated 17.08.2026, whereby the writ petition bearing Writ Petition (M/S) No.2498 of 2026, filed by the appellant- Bank seeking a writ of mandamus directing the respondents not to demolish any part of the building, which is in occupation of the Bank as a tenant for a period of next eight months to enable the Bank to shift to another accommodation, has been disposed of by learned Single Judge with the following liberty to the appellant- Bank:-

"9. The writ petition, however, is disposed of with liberty to



petitioner to make representation to the competent authority in National Highway Authority of India. If he makes such representation within three days from today, decision thereupon shall be taken, as per law, within one week thereafter. Till decision is taken on the representation, status quo as regards the building in question in which branch of the petitioner is housed, shall be maintained. However, if petitioner fails to make representation within three days, he shall not be entitled to any protection of this order and the authorities shall be at liberty to proceed in the matter, as per law."

2. In pursuance of the liberty so granted, the appellant made a representation to the Officer Commanding, 67 RCC, GREF, Dharchula and the Officer Commanding, 67 RCC, GREF, BRO has dismissed the representation by order dated 18.08.2026 observing that the land, over which, the building exists falls in the Right of Way covered by notification under Section 3D of the National Highways Act, 1956, published on 31.08.2022. The order also records that in respect of the said land, award was made under Section 3G of the Act on 28th December, 2022 and a sum of Rs.33.68 Lakhs was paid as compensation to the owner of the building Amar Singh. It is also stated that by notice dated 30th July, 2026 and 14th August, 2026, issued by Officer Commanding, 67 RCC, GREF, BRO to the owner of the building, he was requested to vacate the same at the earliest to enable them to undertake widening of the road which is of strategic importance. Accordingly, the request for grant of further



time has been rejected.

3. The order passed by Officer Commanding, 67 RCC, GREF, BRO, dated 18.08.2026 is not under challenge and, consequently, we find no good ground to interfere with the order of learned Single Judge, in pursuance of which, the petitioner had already made a representation and which came to be dismissed by the aforesaid order dated 18.08.2026.

4. Accordingly, the instant special appeal is dismissed. However, it is clarified that dismissal of the instant appeal will not come in the way of the appellant in challenging the order dated 18.08.2026.

5. Pending application, if any, also stands disposed of.

MANOJ KUMAR GUPTA, C.J.

SIDDHARTHA SAH, J.

Dated: 25th August, 2026

NISHANT