



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><u>WPMS/1864/2026</u></p> <p>Management Committee Of Waqf No 514 --Petitioner</p> <p style="text-align: center;">Versus</p> <p>Govind Ballabh Pant University Of Agariculture And Technology Pantnagar --Respondent</p> <p>WPMS 1864/2026 <u>Hon'ble Manoj Kumar Tiwari, J.</u></p> <p>Mr. T.A. Khan, Senior Advocate, for the petitioner.</p> <p>Mr. Vipul Sharma, Advocate, for the respondents.</p> <p>(2) By means of this writ petition, petitioner has sought the following reliefs:</p> <p><i>"I. To issue a writ order or direction in the nature of mandamus commanding the respondents no. 1 & 2 not to demolish the Mosque under the Management of the petitioner, situated at khasra number 3/2, Village Nagla, Tehsil Kichha, District Udham Singh Nagar and they may also be restrained from causing any hindrance in peaceful offering of prayers in the aforesaid mosque.</i></p> <p><i>II. To issue, a writ, order or direction in the nature of certiorari quashing the order/notice dated 04-06-2026, issued by the respondents no. 1 and 2 (Annexure No. 1, Page no. 11-11)."</i></p> <p>(3) According to petitioner, a mosque was constructed over government land after getting No Objection from the then State Government and the said mosque is in existence for the last about 45 years. Petitioner is aggrieved by a notice, which was issued by Estate Officer (Farm), G.B. Pant University of Agriculture and Technology on</p>



		<p>04.06.2026. The impugned notice is on record as Annexure-1 to the writ petition. Perusal of the notice reveals that petitioner had submitted his reply to earlier notice dated 10.04.2026 and the Competent Authority in the University found that petitioner does not have any right, title and interest over the land in question, therefore, petitioner was asked to remove the encroachment made over the land belonging to University Farm by 20.06.2026, failing which the University administration will have the structure removed at the cost and expenses of the petitioner.</p> <p>(4) Learned Senior Counsel appearing for the petitioner refers to a letter alleged to have been issued by Agriculture Section, Government of U.P. on 12.02.1980. Perusal of that letter reveals that Joint Secretary had given No Objection for construction of the mosque. Learned Senior Counsel for the petitioner also refers to a letter dated 5.9.1979, alleged to have been issued by one Mr. Shamshad Ahmed, IAS, Commissioner and Secretary (Appointment Department) to his counterpart in Department of Rural Development. Perusal of the said letter reveals that Mr. Shamshad Ahmed had strongly recommended for grant of permission for construction of mosque over the land belonging to University. Learned Senior Counsel for the petitioner thus submits that the mosque, which was constructed after due permission from the State Government, cannot be termed as encroachment. He submits that this aspect was not considered by the Competent Authority in the University, which had led to issuance of the impugned notice.</p> <p>(5) Per contra, learned counsel appearing for the University submits that the issue, which the petitioner has raised in this writ petition, was not raised by him in his reply submitted to the notice dated 10.04.2026. Learned counsel</p>
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for the University further submits that the letters, alleged to have been issued by authorities in State of U.P., if at all were issued, were issued in their personal capacity and there was nothing official about the same.

(6) Be that as it may, since petitioner is faced with a notice of demolition and petitioner wants to have his say before the Competent Authority, therefore, this Court thinks that ends of justice would be met if petitioner is permitted to submit another reply to the Estate Officer (Farm) of the University, enclosing therewith all documents which support the case of the petitioner.

(7) Writ petition is, accordingly, disposed of with liberty to petitioner to submit reply to Estate Officer (Farm) within ten days from today. Estate Officer (Farm) shall examine the issues raised by the petitioner and pass appropriate order, as per law, within four weeks thereafter. For a period of six weeks or till decision is taken in the matter by the Estate Officer (Farm), whichever is earlier, status quo as on today shall be maintained.

(8) It is made clear that if petitioner fails to submit reply within the stipulated time, then he shall not be entitled to any protection of this order.

(Manoj Kumar Tiwari, J.)
18.6.2026

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