
(2021) 10 UK CK 0191

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 2276 Of 2021

Aasif Kuraishi

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 28-10-2021

Acts Referred:

Citation : (2021) 10 UK CK 0191

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Shiv Pandey, T.S. Phartiyal, Yogesh Kumar Pacholia

Final Decision : Allowed

Judgement

Manoj Kumar Tiwari, J

1. Petitioner is aggrieved by order dated 31.05.2021 passed by Executive Officer, Nagar Palika Parishad, Almora. By the said order, licence, granted to the petitioner for running meat shop, has been cancelled.

2. It is the contention of learned counsel for the petitioner that petitioner was neither heard nor any notice was issued to him before passing the impugned order. Such statement has been made by petitioner in para 13 and 14 of the writ petition.

3. In the morning session, Mr. Yogesh Kumar Pacholia, learned counsel appearing for Nagar Palika Parishad, Almora was asked to get instructions, as to whether any notice or opportunity of hearing was given to the petitioner. In the post lunch session, Mr. Pacholia has apprised the Court that no notice or opportunity was given to the petitioner before passing impugned order.

4. It is settled position in law that no order, which entails civil consequences to a person, can be passed without following the principle of natural justice.

5. In such view of the matter, impugned order dated 31.05.2021, which was

passed in violation of principle of natural justice, is set aside.

6. Accordingly, writ petition is allowed. However, Nagar Palika Parishad, Almora shall be at liberty to pass afresh order, in accordance with law, after providing reasonable opportunity of hearing the petitioner.

7. Let certified copy of this order be supplied to the petitioner within 24 hours.