
(2021) 06 UK CK 0049

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 1137 Of 2018

Aman Singh Panwar

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 17-06-2021

Acts Referred:

Citation : (2021) 06 UK CK 0049

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : T.S. Phartiyal

Final Decision : Dismissed

Judgement

Manoj Kumar Tiwari, J

1. By means of this writ petition, petitioner has sought following relief:-

(i) Issue a Writ, Order or Direction in the nature of Mandamus directing the respondent No. 2, 3 and 4 to stop the illegal installation of Mobile Tower

by Respondent No. 5 at the roof of his residential house situated in a highly populated residential colony.

2. A short counter affidavit has been filed by respondent no. 3. In para 7 of the said counter affidavit, it has been stated that the tower in question has

not been installed and its installation has been stopped by respondent no. 2 - District Magistrate, Haridwar. The said averments, made in the counter

affidavit, have not be rebutted by any of the respondents by filing rejoinder affidavit.

3. In such view of the matter, this Court has no other option but to treat the averments made in para 7 of the counter affidavit correct.

4. In such view of the matter, the relief, as claimed in the writ petition, does not

survive. Accordingly, writ petition is dismissed. No order as to costs.