

(2022) 01 UK CK 0019
In the Uttarakhand High Court
Case No : Writ Petition (M/S) No. 156 Of 2021

Dinesh Chandra Pandey & Another	Vs	APPELLANT
District Magistrate, Almora & Others		RESPONDENT

Date of Decision : 05-01-2022

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2022) 01 UK CK 0019

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : S.S. Yadav, T.S. Phartiyal

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. According to the petitioners, water supply to their house has been disrupted due to interference made by respondent no. 4 with their pipeline.

2. By means of this writ petition, petitioners have sought following reliefs:-

â?? i) Issue a writ, order or direction in the nature of Mandamus directing the respondent Nos. 2, 3 & 4 to install the water pipeline of the petitioners

as it was on 08.01.2021 to the petitionersâ?? houses.

ii) Issue a writ, order or direction in the nature of Mandamus directing the respondent Nos. 2, 3 & 4 to pay the damage of Rs. 70,000/- to 80,000/- in

favour of the petitioners for mental and physical agony and also cost of construction work, pipeline and plumber, laboursâ?? charge stone and cement and reta etc.

iii) Issue a writ, order or direction in the nature of Mandamus directing the respondent No. 1 to enquire the matter by competent authority and asked

the respondent o. 1 to initiate the criminal/legal proceedings against the respondent No. 4 and also direction be issued to the respondent Nos. 2, 3 & 4

to maintain the status-quo of water supply as it was prior to disconnection dated 08.01.2021.â??

3. There appears to be a private dispute between petitioner and respondent no. 4, which cannot be resolved in writ proceedings under Article 226 of the Constitution.

4. In such view of the matter, there is no scope for interference in the matter. However, having regard to the fact that disruption in supply of potable

water would have serious consequences to an individual, the writ petition is disposed of with liberty to petitioners to make representation to District

Magistrate, Almora. If petitioners make such representation within 10 days from today, District Magistrate shall look into the matter and take

appropriate decision, in accordance with law, as early as possible, preferably within four months from date of its submission.

5. It goes without saying that District Magistrate shall hear all the stakeholders, including respondent no. 4 while deciding the representation.