
(2021) 09 UK CK 0015

In the Uttarakhand High Court

Case No : Writ Petition (PIL) No. 149 of 2021

Himanshu Bhatt

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 02-09-2021

Acts Referred:

Citation : (2021) 09 UK CK 0015

Hon'ble Judges : Manoj Kumar Tiwari, J;Alok Kumar Verma, J

Bench : Division Bench

Advocate : S.S. Yadav, Anil K. Bisht, D.S. Patni, B.S. Bisht

Final Decision : Disposed Of

Judgement

1. Heard learned counsel for the parties and perused the record.
2. Petitioner is a resident of Ashutosh Enclave, Gali No. 1, Village Kandarwala, Post Office Bhaniyawala, District Dehradun.
3. According to the petitioner, since the old pipeline was worn out, therefore, State Government had sanctioned a new pipeline for supply of drinking water to his village under a Scheme known as "Jal Jeewan Mission".
4. In this Public Interest Litigation, petitioner had contended that several irregularities have been committed by the Agency, which constructed the new pipeline, inasmuch as, not only the alignment of the pipeline was changed to favour some private individuals, but also sub-standard material, including inferior pipes, were used.
5. Per contra, Mr. D.S. Patni, learned Senior Counsel appearing for respondent nos. 3 to 7 has disputed the contentions raised by petitioner in this PIL and submits that everything was done as per sanctioned Detailed Project Report.
6. Since petitioner has raised an issue regarding change of alignment and also use of sub-standard material, while constructing the drinking water pipeline,

therefore, this Court thinks that ends of justice would be met, if petitioner is permitted to approach District Magistrate, Dehradun, in a representative capacity, and the District Magistrate shall look into the matter, and if need be constitute a committee to have the aforesaid Scheme inspected. Thereafter, he shall pass an order, in accordance with law, within some stipulated time frame.

7. Accordingly, the writ petition is disposed of with liberty to the petitioner to approach District Magistrate, Dehradun by making a representation. If such representation is made within two weeks from today, District Magistrate shall look into the allegations, and if need be, he shall also constitute a committee of Technical Experts, and based on such report to be submitted by Technical Experts, District Magistrate shall pass appropriate order, in accordance with law, within three months.

8. However, if any grievance of the petitioner still remains, after the decision of the District Magistrate, Dehradun, he shall be at liberty to again approach this Court.