
(2021) 07 UK CK 0089

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 1017 Of 2018

Mahimanand Nautiyal

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 14-07-2021

Acts Referred:

Citation : (2021) 07 UK CK 0089

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : T.S. Phartiyal

Final Decision : Dismissed

Judgement

Manoj Kumar Tiwari, J

1. Heard learned counsel for the parties through video conferencing.
2. Petitioner was elected as Gram Pradhan of Gram Panchayat Godri, Block Pratapnagar, District Tehri Garhwal held in the year 2014.
3. The District Magistrate, Tehri Garhwal suspended the petitioner in the pending inquiry vide order dated 16.01.2018. In the suspension order, it was provided that the affairs of the Gram Panchayat shall be looked after by a committee consisting of three members. Thus, feeling aggrieved, petitioner has approached this Court, seeking the following reliefs:-
 - â??i) Issue a writ, order or direction in the nature of certiorari quashing the impugned order dated 16.01.2018 passed by respondent no. 2 (contained as Annexure-1 to this writ petition).
 - ii) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to permit the petitioner to function as Gram

Pradhan in Village Godri, Block Pratap Nagar, District Tehri Garhwal.â??

4. Learned Additional Chief Standing Counsel appearing for respondents has pointed out that in paragraph no. 2 of the writ petition, petitioner has

admitted that he was elected in the year 2014, therefore, his term came to an end in the year 2019. He has further pointed out that elections to the

three tier Panchayats were held in the year 2019 and election for re-constituting Gram Panchayat Godri, Block Pratapnagar, District Tehri Garhwal

would also have been held in the year 2019.

5. Since the term for which petitioner was elected is over now and petitioner has challenged his suspension, which does not entail any disqualification

for re-election, therefore, in the humble opinion of this Court, the reliefs as claimed in the writ petition, do not survive.

6. Accordingly, writ petition fails and is dismissed. No order as to costs.