

(2024) 12 UK CK 0107

In the Uttarakhand High Court

Case No : Writ Petition No. 3336 Of 2024 (M/S)

Manish Kumar

APPELLANT

Vs

Director Rehabilitation, Tehri Dam Project And Others

RESPONDENT

Date of Decision : 18-12-2024

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2024) 12 UK CK 0107

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Kundan Singh, Suyash Pant, Shobhit Saharia

Final Decision : Dismissed

Judgement

Alok Kumar Verma, J

1. The present Writ Petition under Article 226 of the Constitution of India has been filed with the following prayers: -

“(i) Issue a writ, order or direction in the nature of certiorari quashing the order dated 14th October 2009, passed by the Grievance Redressal Cell, Tehri Dam project (annexed as Annexure No. 1 to this writ petition), whereby, request of the father of the petitioner for allotment of commercial plot has been rejected.

(ii) Issue a writ, order or direction in the nature of mandamus be issued directing the respondent authority to consider the grievance of the petitioner and consequently he may allotted the commercial plot in view of the stone crusher established at Old Tehri Town, and was submerged for the construction of Tehri Dam.

(iii) Issue any suit able writ, order or direction which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.

(iv) Award costs of the petition to the petitioner. ”

2. Mr. Kundan Singh, learned counsel for the petitioner, Mr. Suyash Pant, learned Standing Counsel for the respondent nos. 1 and 2 and Mr. Shobhit Saharia, learned counsel for the respondent no. 3.

3. Heard learned counsel for the parties.

4. The stone crusher was established by the father of the petitioner on the land acquired for the Tehri Dam Project. The premises of the stone crusher were given on lease to the petitioner's father by the said Project for five years. As per the terms of the lease, after the expiry of the lease period, the said premises were to be returned without any compensation. As per the Rehabilitation Policy, no rehabilitation facility was available to the contractors or sort heir employees associated with the project.

5. The petitioner has not been able to show that rehabilitation facilities were available to his father as per the provisions of the Rehabilitation Policy. Therefore, there is no merit in the writ petition.

6. The Writ Petition (WPMS No. 3336 of 2024) is accordingly dismissed.