
(2021) 12 UK CK 0325

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 2849 Of 2021

Manju Devi

APPELLANT

Vs

Government Of Uttarakhand And Others

RESPONDENT

Date of Decision : 29-12-2021

Acts Referred:

Citation : (2021) 12 UK CK 0325

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Pankaj Tangwan, T.S. Phartiyal, Vinay Kumar

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. According to the petitioner, she is elected Pradhan of Gram Sabha Rudrapur, Tehsil Ukhimath, District Rudraprayag. Her grievance is that the

Gauchar/Pasture land of village Rudrapur is being diverted for construction of 220 KW sub-station.

2. Perusal of the impugned order dated 07.09.2009 indicates that forest land was proposed to be allotted in favour of Power Transmission Corporation

of Uttarakhand Ltd. on lease, for 30 years subject to fulfilment of certain conditions.

3. Learned Additional Chief Standing Counsel for the State submits that the writ petition is highly belated as petitioner has challenged orders passed on

07.09.2009 and 08.10.2009 and there is no explanation for delay and laches.

4. Learned counsel for the petitioner submits that petitioner had no knowledge about the allotment of said land in favour of PTCUL and they came to

know about the same only recently, when they received information under R.T.I.

Act, 2005.

5. Learned counsel for the petitioner has referred to one Government Order dated 07.07.2014 issued by Department of Revenue. He submits that

petitioner has no objection against construction of power sub-station in the locality, but all she wants is some alternate land to be allotted to the

villagers to be used for grazing of cattle.

6. Having regard to the issue raised in the writ petition, this Court thinks that ends of justice would be met if petitioner is permitted to approach District

Magistrate, Rudraprayag by making a representation. If petitioner makes such representation within two weeks from today, District Magistrate shall

look into the matter and take appropriate decision, in accordance with law, within eight weeks thereafter. It goes without saying that while taking

decision, District Magistrate, shall also hear representative of PTCUL.

7. With the aforesaid directions, the writ petition stands disposed of.