
(2025) 04 UK CK 0865

In the Uttarakhand High Court

Case No : Writ Petition No. 1146 Of 2025 (M/S)

Mohan Singh Bisht

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 25-04-2025

Acts Referred:

Citation : (2025) 04 UK CK 0865

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : Piyush Tiwari, Kaushal Pandey, N.S. Pundir, Sandeep Kothari

Final Decision : Dismissed

Judgement

Ravindra Maithani, J

1. The challenge in this petition is made to eviction notice dated 22.01.2025, issued by respondent no.4, by which, the petitioner was informed that he should handover the possession of Tourist Information Centre ("the Centre") along with its articles to the respondent no.2, as the lease period has expired.

2. Heard learned counsel for the parties and perused the record.

3. It is the case of the petitioner that he was allotted the Centre at Ranikhet Road, Dwarahat, District Almora for business operation under a contractual agreement dated 01.09.2015. The contract was renewed time to time. The petitioner has also spent lot of money in its maintenance. The last time, the period of contract was expired on October 2024. The petitioner made a representation for extension of the contractual period in the light of the investment made by him and the financial hardship faced by him during COVID-19 pandemic. But, the representation given by the petitioner was rejected on 29.08.2024. The petitioner was, thereafter, required to vacate the premises by an order dated 23.09.2024 of respondent no.4 and, thereafter, by the impugned

notice, petitioner has been required to handover the possession of the Centre.

4. Learned counsel for the petitioner would submit that the petitioner has been investing money in the Centre for the last

10 years; he has invested lot of money in its maintenance and renovation. He has suffered huge loss during COVID-19 Pandemic. Therefore, the contract ought to have been renewed and the impugned order deserves to be set aside.

5. On the other hand, learned counsel appearing for the respondent nos.2 to 4 would submit that earlier when the petitioner moved an application for extension of the contract period. His application was so rejected, against which, a writ petition was filed by the petitioner, which has already been dismissed. He would submit that differently worded, but seeking similar relief, this is second petition.

6. It is admitted by the learned counsel for the petitioner that he had earlier filed a writ petition challenging the order by which his contract period was not renewed.

7. In the first round, when the petitioner moved an application for extension of the contract period, it was denied and the Writ Petition No.2885 of 2024, filed against it, has already been dismissed. The petitioner now has been directed to handover the possession of the Centre, this order is impugned. This is basically one and the same relief that was sought in the earlier petition. Moreover, after expiry of the contract period, petitioner does not have any vested right to continue with the Centre. In view of it, this Court is of the view that there is no merit in the case, the petition deserves to be dismissed at the stage of admission itself.

8. The petition is dismissed in limine.