

(2018) 05 UK CK 0074

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 1042 of 2017

MOHD. FAROOQ AND OTHERS

APPELLANT

Vs

STATE OF UTTARAKHAND AND OTHERS

RESPONDENT

Date of Decision : 15-05-2018

Acts Referred:

Citation : (2018) 05 UK CK 0074

Hon'ble Judges : SUDHANSHU DHULIA, J

Bench : Single Bench

Advocate : Ramji Srivastava, Anurag Bisaria, Manisha Rana Singh

Final Decision : Disposed Off

Judgement

Sudhanshu Dhulia, J

1. The petitioners before this Court are butchers by profession, who are engaged in selling buffalo meat. The business was being carried out in a particular building in Dehradun known as "Inamullah Building". All of them were evicted from the said building and another place was assigned to them, at "Kargi Grant", Dehradun, but due to local agitation the petitioners were not able to carry their business at the said place. Aggrieved, the petitioners have filed the present writ petition.
2. Counter affidavits have been filed on behalf of the respondents. The stand of the Municipal Corporation is that the Municipal Corporation has already granted place to the petitioners but due to local agitation, they have not been able to carry the business.
3. Since the petitioners were carrying on business at particular place for last many years, writ petition stands disposed with the directions to the petitioners to make a representation before the Secretary, Urban Development,

Government of Uttarakhand, who shall look into the grievance of the petitioners and after consultation and given opportunity of hearing to all the stake holders shall consider providing a place to the petitioners where they can carry on the business. It is made clear that there is no adjudication of this matter on the merits of the case. This Court was only concerned with the fact that previously the petitioners were carrying on this business and they have been forced to shift their location to another place, where again due to situation which was beyond their control, they are not able to carry on their business. It is further made clear that the State Government would always be at liberty to device a mechanism so that the business be carried on in scientific manner, under the Rules including the Food Safety Standard Act.Â Â