

(2024) 12 UK CK 0083

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 3589 Of 2024

Nitin Joy Prakash Alias Shammi

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 26-12-2024

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2024) 12 UK CK 0083

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : N.K. Adhikari, Mamta Bisht

Final Decision : Dismissed

Judgement

Alok Kumar Verma, J

1. Mr. N. K. Adhikari, learned counsel appearing for the petitioner has contended that the petitioner is a resident of Ward No. 3, Gurudwara Gali, Vikasnagar, District Dehradun. He belongs to general category. The Government of Uttarakhand issued a tentative Notification dated 12.12.2024, whereby the Uttarakhand Nagar Palika/ Nagar Panchayat (Reservations and Allotment of Seats and Offices) Rules, 2024 was notified, which prescribes the procedure for reservation. On 14.12.2024, the respondent no. 3 issued a tentative list of the reservation and allotment of seats and offices for Nagar Palika Parishad, Vikasnagar, District Dehradun and invited objections within seven days. The objections dated 19.12.2024 were filed by the petitioner. The said objections are still pending. Therefore, the petitioner has filed the present writ petition under Article 226 of the Constitution of India with the following prayers:

“(i) A suitable writ, order or direction in the nature of mandamus, directing the respondents to decide the objections/ representation dated 19.12.2024 (Annexure No. 4) preferred by the petitioner to respondent no. 2 pursuant to the publication of the Provisional List of reservation and allotment of seats and

offices in Nagar Palika Parishad, Vikas nagar, District Dehradun on 14.12.2024 in accordance with law and before publication of the Final List.

(ii) A suitable writ, order or direction in the nature of mandamus directing the respondents not to declare the Election Program without leave of this Hon'ble Court.

(iii) Issue any other suitable order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case.

(iv) Award the cost of the petition to the petitioner."

2. Mrs. Mamta Bisht, learned Deputy Advocate General for the respondents has submitted that the question of reservation has already been finalized by the State Government, therefore, the writ petition has become infructuous.

3. After the said submission, Mr. N.K. Adhikari, Advocate, submits that the present writ petition has become infructuous.

4. With the consent of both the parties, the present Writ Petition (M/S No. 3589 of 2024) is dismissed as infructuous.