

(2025) 04 UK CK 0837

In the Uttarakhand High Court

Case No : Writ Petition No. 1130 Of 2025 (M/S)

Puja

APPELLANT

Vs

State Of Uttarakhand And Three Others

RESPONDENT

Date of Decision : 22-04-2025

Acts Referred:

Constitution Of India, 1950 — Article 14, 19, 21, 48A, 226

Citation : (2025) 04 UK CK 0837

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Akshay Pradhan, N.S. Pundir, Dharmendra Barthwal

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

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

“(i) A Writ of Mandamus or any other appropriate writ, order or direction, quashing the actions and decisions of the Respondents in relation to the installation of the 11 KV high-tension power transmission line in Cross 5, Tapovan Enclave, Sahastradhara Road, Dehradun, Uttarakhand, including the erection of electricity poles and any further steps taken in pursuance thereof, on the grounds of violation of the fundamental rights of the residents, including the Petitioner, under Articles 14, 19, 21, and 48A of the Constitution of India.

(ii) A Writ of Mandamus or any other appropriate order or direction, directing the Respondents to immediately halt the ongoing installation and construction activities for the high-tension power transmission line of 11 KV in the residential locality of Cross 5, Tapovan Enclave, Sahastradhara Road, Dehradun, Uttarakhand, until a comprehensive environmental and safety clearance is obtained, and a public consultation process is conducted in accordance with the applicable laws and regulations.

(iii) An order of interim relief in the form of a stay on the ongoing construction and installation activities of the 11 KV hightension power transmission line, pending the hearing and final disposal of the present writ petition, in order to prevent irreparable harm to the health, safety, and well-being of the residents and children of the nearby educational institution.

(iv) Any other relief or direction that this Hon'ble Court may deem fit and proper in the interest of justice, equity, and fairness."

2. Heard Mr. Akshay Pradhan, learned counsel appearing for the petitioner, Mr. N.S. Pundir, learned Deputy Advocate General for the respondent nos.1 & 2 and Mr. Dharmendra Barthwal, learned counsel for the respondent nos.3 & 4.

3. Mr. Akshay Pradhan, Advocate contended that the respondents are going to install 11 KV high-tension power transmission line in Cross 5, Tapovan Enclave, Sahastradhara Road, Dehradun, Uttarakhand against law. The petitioner is a resident of Sahastradhara Road, Dehradun. The representations (Annexure no.2 to the writ petition) have been submitted by the petitioner and other residents of the said area to the respondent no.2, respondent no.3 and Chief Engineer, THDC India Ltd. Dehradun. The said representations are still pending.

4. Mr. Akshay Pradhan, Advocate, on instructions received from the petitioner, has requested to decide the present writ petition by directing the Superintending Engineer (Urban), Electricity Distribution Circle, UPCL, Dehradun to decide the said representaions at the earliest.

5. Mr. Dharm endra Barthwal, Advocate has sought two weeks' time for deciding the said representation.

6. On the request of Mr. Akshay Pradhan, Advocate and with the consent of Mr. Dharmendra Barthwal, Advocate, the present writ petition is disposed of directing the Superintending Engineer (Urban), Electricity Distribution Circle, UPCL, Dehradun to decide the said representation (Annexure no.2 to the writ petition) as expeditiously as possible, but not later than two weeks' from the date of production of the certified copy of this order.

7. It is made clear that this Court has not expressed any opinion on the merit of the case.