
(2021) 10 UK CK 0135

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 2236 Of 2021

Rajendra Kumar

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 26-10-2021

Acts Referred:

Citation : (2021) 10 UK CK 0135

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Dinesh Gahtori, M.C. Tewari, Shobhit Saharia

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. By means of this writ petition, petitioner has sought the following relief:

"i) Issue a writ in the nature of mandamus directing the respondents to give compensation to the petitioner for the building/house as the entire land of the petitioner has been acquired and rehabilitated at Pathari, Haridwar."

2. It is the contention of the petitioner that his land situate in Village Bhason, Patti Dhar Akariya, Tehsil Gaja, District Tehri Garhwal was acquired for construction of Koteswar Dam, however, residential house situate in the same village was not acquired. According to the petitioner, the said house has become uninhabitable due to construction of the Dam, therefore, petitioner has claimed compensation of the house.

3. From perusal of the documents annexed with the writ petition, it is apparent that petitioner's land was acquired before the year 2004 and, according to the own showing of the petitioner, he has been rehabilitated in Haridwar in the year 2007.

4. Learned counsel appearing for T.H.D.C. has apprised the Court that Koteswar

Dam has been commissioned and the entire property of the petitioner has been sub-merged, as per the pleading made in the writ petition.

5. In such view of the matter, the relief, as claimed in the writ petition, cannot be granted.

6. Learned counsel for the petitioner then submits that petitioner has made a representation to respondent no. 3 on 14.09.2021 and direction may be issued for deciding the same at the earliest.

7. Accordingly, the writ petition is disposed of with a direction to respondent no. 3 to consider petitioner's representation and take appropriate decision, in accordance with law, within six months from the date of production of certified copy of this order alongwith copy of representation.