
(2015) 01 UK CK 0055

In the Uttarakhand High Court

Case No : Writ Petition No. 463 (S/S) of 2009

Sachidanand Painuli

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 16-01-2015

Acts Referred:

Citation : (2015) 01 UK CK 0055

Hon'ble Judges : Alok Singh, J

Bench : Single Bench

Advocate : Lokendra Dobhal, Advocate holding brief of G.D. Joshi, for the Appellant; A.K. Joshi, Addl. C.S.C., Advocates for the Respondent

Final Decision : Dismissed

Judgement

Alok Singh, J.

1. Present petition is filed assailing the order/judgment dated 18.11.2008, passed by the Grievance Redressal Forum, Tehri Dam Project, New Tehri. Petitioner was resident of village Khand (Athoorwala), District Tehri Garwal; his few properties were acquired for the purposes of construction of Tehri Dam; under the rehabilitation scheme, agriculture land plot No. A-38 in village Bhaniyawala, District Dehradun, residential plot of 300 Sq. Mt. in Rishikesh and one shop in Dehradun was allotted. Financial assistance in cash to purchase seeds and fertilizers was also provided to the petitioner. Thereafter, petitioner applied and sought Rs. 2,00,000/- towards the financial assistance to raise construction over the residential plot allotted to the petitioner. Request of the petitioner was turned down by the T.H.D.C. Authorities. Consequently, petitioner filed complaint before the Grievance Redressal Forum. Complaint so filed was also dismissed vide impugned order dated 18.11.2008. As per the rehabilitation policy dated 3.6.2005, financial assistance in cash shall be provided to raise construction only to those who were residing on the height of 680 Mt. and above from the sea level. Undisputedly, village of the petitioner was below R.L. 680 Mt. Therefore, petitioner was not covered under the rehabilitation policy dated

3.6.2005. In view of the policy dated 3.6.2005, learned Redressal Forum was pleased to reject the complaint of the petitioner.

2. While exercising the writ jurisdiction, this Court ordinarily will not interfere in the policies framed by the State or its instrumentalities. Since, case of the petitioner does not fall within the four corners of rehabilitation policy dated 3.6.2005, therefore, no interference in the impugned order is required. Consequently, writ petition fails and is hereby dismissed. CLMA No. 2321 of 2009 also stands disposed of accordingly.