
(2012) 03 UK CK 0027

In the Uttarakhand High Court

Case No : Writ Petition No. 466 of 2012 (M/S)

Singh and Company

APPELLANT

Vs

State of Uttarakhand and two others

RESPONDENT

Date of Decision : 23-03-2012

Acts Referred:

Citation : (2012) 03 UK CK 0027

Hon'ble Judges : Brahma Singh Verma, J

Bench : Single Bench

Judgement

Hon'ble B.S. Verma, J.—Supplementary affidavit filed by petitioner is taken on record. Heard Mr. Sharad Sharma, Senior Advocate, along with Mr. Bhuwan Bhatt, Advocate for petitioner, Mr. N.P. Shah, Standing Counsel on behalf of State and Mr. Sandeep Kothari, Counsel for respondent No.3.

2. By means of this petition the petitioner has sought a writ in the nature of mandamus commanding the respondent No.1 to pass and take appropriate decision on a reference made by the Commissioner/Chairman Special Lake Area Development Authority, District Nainital, to the Secretary, Avas Vibhag, Civil Secretariat Dehradun, so far it relates to the relaxation in the master plan.

3. According to the petitioner, the letter was written by Commissioner/Chairman Special Lake Area Development Authority, District Nainital, to the Secretary, Avas Vibhag, Civil Secretariat Dehradun, in the year 2009, but no decision was taken on the said reference. It is an inaction on the part of the State. The State may take decision either way but they cannot keep the matter pending for long time.

5. Prayer made is innocuous. The Secretary Avas Vibhag, Civil Secretariat, Dehradun is directed to take a decision on the reference letter Annexure No.3 to the writ petition in accordance with law expeditiously as far as possible, preferably, within a period of three months from the date of production of certified copy of this order. With the above direction the writ petition is disposed of finally.