
(2024) 06 UK CK 0074

In the Uttarakhand High Court

Case No : Writ Petition (PIL) No. 197 Of 2023

Suo Motu PIL In The Matter Of Construction Of Engineering
College Pithoragarh

APPELLANT

Vs

Secretary, Technical Education Uttarakhand & Others

RESPONDENT

Date of Decision : 11-06-2024

Acts Referred:

Citation : (2024) 06 UK CK 0074

Hon'ble Judges : Ritu Bahri, CJ; Rakesh Thapliyal, J

Bench : Division Bench

Advocate : Lalit Samant, J.C. Pande, Anil Kumar Joshi, Abhijay Negi

Final Decision : Disposed Of

Judgement

Ritu Bahri, CJ

1) The present Public Interest Litigation is relating to the construction of Engineering College in Maddhura, Pithoragarh, and in this petition a supplementary affidavit has been filed by Mr. Shriprakash Tiwari, Deputy Secretary, Technical Education, Government of Uttarakhand on 29.05.2023.

2) In this supplementary affidavit minutes of the meeting dated 08.01.2024 has been placed on record. In paragraph 11 of this affidavit, it is clarified that on account of incomplete construction and lack of essential facilities, i.e., electricity, water storage, proper approach road and Internet connection, earlier the Government had decided to handover the said premises in the custody of NDRF, but due to resentment and opposition from the local public this proposal was dropped, and now a decision has been taken that the said institute would run in the same premises after completing the entire incomplete work. Attempts are being made to search another working agency by the Government. However, due to enforcement of Model Code of Conduct regarding the Parliamentary Elections the process was delayed. However, it is further stated that till the entire building construction is completed, classes will continue in 10 prefabricated classrooms

constructed in the nearby G.I.C. campus, and a proposal for alternate approach road to the Institute from the city Pithoragarh via Chandak has been suggested and it will minimize the distance of Pithoragarh city to the Institute from 15 Kilometer to 3.5 Kilometer, and for this necessary permission from Forest Department has also been taken. The above said decision has been taken in a meeting held on 08.01.2024 (Annexure S.A.1) under the Chairmanship of Chief Secretary, Uttarakhand Government.

3) Since a decision has already been taken to float the tender, and the classes are going on in prefabricated classrooms, this Writ Petition (PIL) is being disposed of by giving a direction to the respondents to float the tender and inform this Court after four weeks so that the construction process is not further delayed. Since the Model Code of Conduct has now come to an end, tender can be floated after following due process and procedure and information be given to this Court after floating the tender after five weeks.

4) With the direction as above, the writ petition (PIL) stands disposed of.

5) Consequently, all pending applications also stands disposed of.