
(2022) 04 UK CK 0014

In the Uttarakhand High Court

Case No : Writ Petition (CRL) No. 565 Of 2022

Swami Shukdevanand Trust Parmarth Niketan & Another

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 04-04-2022

Acts Referred:

Citation : (2022) 04 UK CK 0014

Hon'ble Judges : S.K. Mishra, J;R.C. Khulbe, J

Bench : Division Bench

Advocate : Vimal Wadhawan, D.C.S. Rawat, J.S. Virk

Final Decision : Disposed Of

Judgement

S.K. Mishra, J

1. In this writ petition, the petitioners have prayed for the following reliefs:-

"i. a writ, order or direction in the nature of mandamus commanding and directing the respondent Nos.1 to 3 to give adequate security to protect the property and lives of the people living and visiting Parmarth Niketan managed by the petitioner No.1 and to ensure that no harm is caused to the petitioners by any agitating people, otherwise the petitioners will suffer a great loss and hardship which cannot be compensated by any other means.

ii. Issue a writ, order or direction in the nature of mandamus commanding and directing respondent no.1 to issue an advisory to all the district chiefs in the State of Uttarakhand to ensure that the atmosphere of hatred or defamation is not permitted in any district of the State of Uttarakhand against the petitioner No.1 and/or Swami Chidanand Sarawati, the President of Parmarth Niketan and to take strict action against the violators of such advisory.

iii. Pass any other and further order as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case".

2. The learned counsel for the petitioners, submits that on 29.03.2022, the petitioner no.1 has already made a representation before the Senior Superintendent of Police, Pauri Garhwa for protecting the lives of the petitioners, a copy whereof is annexed as Annexure No.5 to this writ petition, but nothing has been done as yet. Having been left with no other remedy, the petitioners have filed the present writ petition.

3. In that view of the matter, we dispose of the writ petition by directing the Station House Officer, P.S. Laxman Jhula, District Pauri Garhwal to provide protection for twenty-one days to the lives and liberty of the petitioners. In the meantime, the Senior Superintendent of Police, Pauri Garhwal-respondent No.2 shall take a decision on the representation of the petitioners (Annexure No.5) after taking appropriate information from the S.H.O. concerned or any other reliable sources.

4. We are also of the considered view that the Prayer No.2, as prayed by the petitioners, cannot be granted.

5. Let a free copy of this order be immediately handed over to Mr. J.S. Virk, learned Deputy Advocate General for the State of Uttarakhand, for early compliance.

6. Urgent copy of this order be supplied to the learned counsel for the parties, as per Rules.