
(2021) 01 UK CK 0018

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 2506 Of 2020

Zila Panchayat Udham Singh Nagar

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 06-01-2021

Acts Referred:

Citation : (2021) 01 UK CK 0018

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Ajay Veer Pundir, M.S. Bisht

Final Decision : Disposed Of

Judgement

1. This writ petition has been filed by Zila Panchayat Udham Singh Nagar. The reliefs claimed in the writ petition are as follows:

â??(i) Issue a writ, order in the nature of certiorari quashing the impugned order dated 19 -12-2020 passed by the respondent no. 2 (Contained as Annexure No. 6 to the writ petition).

(ii) Issue a writ, order in the nature of mandamus commanding/directing the respondents to not create any obstruction/ hindrance in collecting loading

and carrying taxes by the petitioner for the purpose of generating revenue for development works, for which the petitioner is empowered in view of

Loading Carrying (Traffic, Parking, Security and convenience of public) Bylaws, 2017 of Zila Panchayat Udham Singh Nagar [Annexure No. 1 to the writ petition].â??

2. The order impugned is on record as Annexure No. 6. The same has been passed by District Magistrate, Udham Singh Nagar, whereby Zila

Panchayat has been restrained from collecting loading, unloading and

transportation fee from vehicles in public places.

3. Learned State Counsel was asked to get instructions in the matter. Today, learned Brief Holder, on instructions, submits that District Administration

has identified 19 spots from where Zila Panchayat could have collected loading, unloading and transportation fee; but, according to him, Zila

Panchayat is collecting such fee even on highways.

4. Learned counsel for the petitioner then submits that the writ petition may be disposed of by permitting the petitioner to make representation to

District Magistrate, Udham Singh Nagar, who may be directed to take decision thereupon at the earliest.

5. Accordingly, the writ petition is disposed of by permitting the petitioner to make representation to District Magistrate, Udham Singh Nagar, within

48 hours. If such representation is made within stipulated period, District Magistrate, Udham Singh Nagar shall do the needful within one week from

the date of receipt of representation alongwith certified copy of this order.

6. Let a certified copy of this order be issued today itself.