



2024:UHC:9710

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

19th DECEMBER, 2024

WRIT PETITION (M/ S) NO. 3534 of 2024

Pankaj Gupta

....Petitioner

Versus

State of Uttarakhand and Others

....Respondents

Counsel for the Petitioner : Mr. Arvind
Vashistha, Senior
Advocate assisted
by Mr. Siddhartha
Sah, Advocate.

Counsel for the Respondent : Mr. Anil Dabral,
Nos. 1 and 2 Additional C.S.C.

Counsel for the Respondent : Mr. Bhuwan Bhatt,
No.3. Advocate through
video conferencing.

Hon'ble Alok Kumar Verma, J.

The present writ petition under Article 226 of
the Constitution of India has been filed with the
following prayers:

“(i) Issue a writ, order or direction in the nature of mandamus directing the respondent no. 2 to decide the objections of the petitioner dated 17.12.2024 by a speaking, reasoned and well considered order after affording due opportunity of hearing to the petitioner and in particular consider/ decide the objection with regards to the clerical mistake that has occurred in provisionally notifying the post of Chairperson Nagar Palika Parishad, Mussoorie as OBC (Mahila). (contained in Annexure No. 6).

(ii) Issue any other suitable writ order or direction which this Hon'ble Court may deem fit, just and proper under the facts and circumstances of the case.”



2. Mr. Arvind Vashistha, learned Senior Advocate assisted by Mr. Siddhartha Sah, learned counsel for the petitioner, Mr. Anil Dabral, learned Additional C.S.C. for the respondent no. 1 and respondent no. 2 and Mr. Bhuwan Bhatt, learned counsel for the respondent no.3.

3. Mr. Arvind Vashistha, learned Senior Advocate, has contended that the petitioner is a permanent resident of Mussoorie, District Dehradun. His name is recorded in the electoral roll of Nagar Palika Parishad, Mussoorie Local Bodies Elections, 2024 at serial no. 647 in the Jharipani Ward No. 1, Mussoorie. The petitioner wants to contest the election for the post of Chairman, Nagar Palika Parishad, Mussoorie. The Deputy Secretary, Urban Development, Government of Uttarakhand has notified the provisional Notification dated 14.12.2024. The petitioner has submitted his objections dated 17.12.2024 to the respondent no. 2 against reserving the post of Chairperson Nagar Palika Parishad, Mussoorie for OBC (Mahila). The said objections have not been decided till date.

4. With the consent of both the parties, the present writ petition is disposed of directing the



respondent no. 2 to decide the petitioner's objections dated 17.12.2024 by a speaking and reasoned order and in accordance with law after granting an opportunity of hearing to the petitioner as expeditiously as possible from the date of production of a certified copy of this order but not later than 22.12.2024.

5. Mr. Arvind Vashistha, learned Senior Advocate has submitted that the certified copy of this order shall be produced by the petitioner to the respondent no. 2 by 20.12.2024.

6. It is made clear that this Court has not expressed any opinion on the merit of the case.

7. Let a certified copy of this order be provided to the learned counsel for the parties, today itself, as per rules.

ALOK KUMAR VERMA, J.

Date: 19.12.2024

Shiksha
BINJOLA