



2024:UHC:9790

HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

20TH DECEMBER, 2024

WRIT PETITION NO.3551 OF 2024 (M/ S)

Raj Kumar

....Petitioner

Versus

State of Uttarakhand and Another

...Respondents

Counsel for the Petitioner : Mr. Vinod Joshi, Advocate,
Mr. B.M. Pingal, Advocate,
and Mr. U.N. Joshi,
Advocate.

Counsel for the Respondents : Mr. Anil Dabral, Additional
C.S.C.

Hon'ble Alok Kumar Verma,J.

Mr. Vinod Joshi, Advocate, for the petitioner has submitted that the case of the petitioner is that the petitioner is a permanent resident of Ganna Tokan Colony, Co-operative Sugar Mill, Ward No.10, Bazpur road, District Udham Singh Nagar. His name is recorded in the electoral roll of Nagar Palika Parishad, Bazpur Local Bodies Elections, 2024 at Serial No.578 in Ward No.10, Bazpur, District Udham Singh Nagar. The petitioner is going to contest the election to the post of Chairman, Nagar Palika Parishad, Bazpur. The Additional Secretary, Urban Development Department, Government of Uttarkhand has issued a tentative



2024:UHC:9790

Notification dated 12.12.2024. The petitioner has submitted his objection(s) dated 19.12.2024 to the respondent no.2 against reserving the post of Chairperson Nagar Palika Parishad, Bazpur for OBC. The said objections have not been decided till date. Therefore, the petitioner has filed the present writ petition under Article 226 of the Constitution of India 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 19.12.2024 by a speaking, reasoned and well considered order after affording due opportunity of hearing to the petitioner while provisionally notifying the post of Chairperson Nagar Palika Parishad, Bazpur, District Udham Singh Nagar as OBC (contained as Annexure No.5 to this writ petition).

(ii) Issue any other writ, order or direction which this Hon’ble Court deems fit and proper.

(iii) Award cost of the petition.”

2. Heard Mr. Vinod Joshi, Advocate and Mr. Anil Dabral, Additional C.S.C. for the respondents.

3. With the consent of learned counsel for both the parties, the present writ petition is disposed of by directing the Director, Urban Development Department, the respondent no.2, to decide the petitioner’s objections dated 19.12.2024 by a speaking and



2024:UHC:9790

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 the certified copy of this order, but, before issuance of final notification, which is a pre-condition in the tentative Notification dated 14.12.2024, by which objections have been invited.

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

5. Let a certified copy of this order be provided to the learned counsel for the petitioner, today itself, on payment of usual charges.

ALOK KUMAR VERMA, J.

Dt: 20.12.2024

Pant/

PANKAJ
KUMAR PANT

Digitally signed by PANKAJ KUMAR PANT, DN: cn=PANKAJ KUMAR PANT, o=, ou=, email=pankaj.kumar.pant@nic.gov.in, c=IN