



IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI MANOJ KUMAR GUPTA

AND

HON'BLE SRI JUSTICE SUBHASH UPADHYAY

19th August, 2026

WRIT PETITION (PIL) NO. 3 OF 2025

Girish Chandra

--Petitioner.

Versus

State of Uttarakhand and others.

---Respondents

Counsel for the petitioner	:	Sri Karmanya Pande, learned counsel holding brief of Sri D. Barthwal, learned counsel.
Counsel for the respondents	:	Sri P.S. Bisht, learned Chief Standing Counsel with Sri Gajendra Tripathi, learned Standing Counsel for the State of Uttarakhand. Sri Ravi Bisht, learned counsel holding brief of Sri Aditya Pratap Singh, learned counsel for respondent No. 4. Sri Subhang Dobhal and Sri Shrikant Purohit, learned counsel for respondent No. 6.

JUDGMENT : (PER: SRI MANOJ KUMAR GUPTA, C.J.)

1. The present public interest litigation came to be instituted for issuing appropriate directions for checking unregulated and illegal soap stone mining, particularly in Village Mangarh, and for payment of adequate compensation by respondent No. 6, who had carried out the alleged indiscriminate mining resulting in huge losses to the villagers.

2. Earlier the present PIL was connected with WPIL Nos. 174 of 2024 and 38 of 2020. On 25.03.2025, a Coordinate Bench passed a common order in all the three cases. In Paragraphs-7 to



14 of the order, the Court had dealt with the present case and had issued various directions, one amongst them being for submitting a report regarding seizure and closure of the mining operations. It appears that in pursuance of the said order, the official respondents have seized the minerals and machineries of respondent No. 6 and had also restrained her from continuing the mining operations.

3. On 18.03.2026, the present matter was de-tagged from the bunch and was directed to be listed separately in view of the submission made on behalf of respondent No. 6 that the controversy remained confined to award of compensation to the affected persons as a result of the mining activities by respondent No. 6. Thereafter, on 29.04.2026, the following order was passed:-

"1. Mr. D.S. Patni, learned Senior Counsel assisted by Mr. Dharmendra Barthwal and Mr. Himanshu Yadav, learned counsel for the petitioner.

2. Mr. Gajendra Tripathi, learned Standing Counsel for the State.

3. Mr. Aditya Pratap Singh, learned counsel for respondent no.4.

4. Mr. Rajendra Dobhal, learned Senior Counsel assisted by Mr. Shubhang Dobhal and Mr. Shrikant Purohit, learned counsel for respondent no.6.

5. Respondent no.6, in the compliance affidavit filed by her on 26.03.2025, has taken the stand that she approached the District Magistrate to arrange the meeting with the affected persons so that a fair compensation is paid to them.

6. Respondent no.7, in the affidavit filed in compliance of the order of this Court dated 17.02.2025, has stated that in the joint inspection carried out by officials of Revenue Department and Public Works Department, it transpired that seven families were living jointly in two houses. According to it, one house was owned by Mr. Nandan Singh and Mr. Kalyan Singh, and other was jointly owned by Mr. Mohan



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Chandra, Mr. Hem Chandra, Mr. Bhagwati Prasad, Mr. Puran Chandra and Mr. Mathura Dutt. The said Committee has quantified the damage suffered by Mr. Nandan Singh and Mr. Kalyan Singh as Rs.12.11 Lakhs and by Mr. Mohan Chandra, Mr. Hem Chandra, Mr. Bhagwati Prasad, Mr. Puran Chandra and Mr. Mathura Dutt as Rs.14.79 lakhs.

7. Mr. Rajendra Dobhal, learned Senior Counsel appearing for respondent no.6 seeks time to obtain instructions and to specify the timeframe, within which, the said amount would be deposited by respondent no.6 before this Court.

8. List on 20.05.2026.

9. In case, the afore-said amount is deposited by respondent no.6 with the Registrar General of this Court by the next date, respondent no.6 shall be permitted to resume the mining operations and, accordingly, the order of this Court dated 25.03.2025 shall stand modified.

10. The request for release of seized material shall be considered on the next date.

11. The State shall also disclose the steps, if any, taken so far to prevent such mishappenings in future. In case, no step has been taken in this regard so far, the State shall prepare a plan in this behalf and bring the same on record by the next date.

12. Modification application (IA No.04 of 2026) stands disposed of."

4. On matter being taken-up today, learned counsel appearing on behalf of respondent No.6, submitted that respondent No. 6 has deposited Rs. 26,90,000/- towards compensation to the affected persons. The office report also indicates the said fact. It is, thus, submitted that the seized machineries and minerals be directed to be released in favour of respondent No. 6.

5. Sri Subhang Dobhal, learned counsel appearing for respondent No. 6, further states that he has no objection if the amount deposited by respondent No. 6 before this Court is disbursed to the affected persons.



6. Learned counsel for the petitioner states that upon payment of compensation to the affected families, the main grievance in the writ petition would stand redressed.

7. Having regard to the submissions made by learned counsel for the parties, the writ petition is disposed of as follows:-

(a) The amount deposited by respondent No. 6 before this Court shall be transmitted to the District Magistrate, Pithoragarh for disbursement to the affected families as per the assessment of compensation made by the Committee, the report whereof is at Page-33 of the affidavit of compliance filed on behalf of respondent No. 7, which is as follows:-

Summary of Estimated Cost		
कार्य का नाम:- ग्राम मनगढ़ हाट भंडार पीपली में आपदा में क्षतिग्रस्त भवनों का मूल्यांकन।		
S.NO.	Item of work	Amount (in lakhs)
1	Tentative valuation of building (Shri Nandan Singh, Shri Kalyan Singh.)	Rs. 12.11
2	Tentative valuation of building (Shri Mohan Chandra, Shri Hem Chandra, Shri Bhagwati Prasad, Shri Puran Chandra, Shri Mathura Dutt.)	Rs. 14.79

(b) Rs. 12.11 lakhs, being the estimated compensation amount, shall be released by the District Magistrate in equal shares in favour of Nandan Singh and Kalyan Singh.

(c) Rs. 14.79 lakhs shall be released by the District Magistrate after issuing notice to all the five persons and examining their respective shares.



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(d) The machinery and bags of soap stone seized from respondent No. 6 shall be released in favour of respondent No. 6 within 48 hours from the date of communication of the order.

(e) Respondent No. 6 shall also be entitled to carry-on the mining operations provided she holds a valid license and there is no other legal impediment.

8. All pending applications stand disposed of accordingly.

MANOJ KUMAR GUPTA, C.J.

SUBHASH UPADHYAY, J.

Dt: 19th August, 2026
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RATHOUR

Digitally signed by PRAVINDRA SINGH RATHOUR
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