



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE MR. G. NARENDAR

AND

THE HON'BLE JUSTICE MR. SUBHASH UPADHYAY

January 07, 2026

Writ Petition (M/B) No. 536 of 2024

M/s Mittal Machines Private Limited ---Petitioner

Versus

State of Uttarakhand & Others ---Respondents

Writ Petition (M/B) No. 11 of 2024

M/s Strides Height LLP ---Petitioner

Versus

State of Uttarakhand & Others ---Respondents

Presence:-

Mr. Pooran Singh Rawat, learned counsel (through V.C.) along with Mr. M.C. Upadhyay, learned counsel for the petitioner in WPMB No.536 of 2024

Ms. Charu Mathur, learned counsel (through V.C.) along with Mr. Nivesh Bahuguna, learned counsel for the petitioner in WPMB No.11 of 2024

Mr. A.P. Singh, learned Additional A.G. with Mr. B.S. Parihar, learned Addl. C.S.C. for the State

Mr. S.S. Chauhan, learned counsel for respondent no.4-Uttarakhand Peyjal Nigam

Mr. Pankaj Chaturvedi, learned counsel for respondent no.5-Uttarakhand Jal Sansthan

JUDGMENT: (per Sri G. Narendar, C.J.)

Heard Mr. Pooran Singh Rawat, learned counsel for the petitioner in WPMB No.536 of 2024; Ms. Charu Mathur, learned counsel for the petitioner in WPMB No.11



of 2024; Mr. B.S. Parihar, learned Addl. C.S.C. for the State of Uttarakhand; Mr. S.S. Chauhan, learned counsel for respondent no.4-Uttarakhand Peyjal Nigam and Mr. Pankaj Chaturvedi, learned counsel for respondent no.5-Uttarakhand Jal Sansthan.

2. WPMB No.536 of 2024 has been filed for the following reliefs:-

“(i) Issue a writ in the nature of mandamus commanding / directing the respondents no.1 to 5; not to assign any work / contract to respondent no.6 on the basis of experience certificate, balance sheet and other documents of petitioner’s company.

(ii) Issue a writ in the nature of mandamus commanding or directing the respondent no.1 to 5 to cancel the experience certificate of private respondent (respondent no.6) if it is being used by the private respondent for obtaining any contract or work by way of the experience certificate of petitioner’s company.

(iii) Issue a writ, order or direction in the nature of mandamus commanding or directing the respondent no.5 i.e. Chief General Manager Uttarakhand Jal Sansthan to immediately cancel the new registration of respondent no.6 (private respondent), as respondent no.6 is misusing the new registration against the petitioner in various tenders.

(iv) Issue a writ in the nature of mandamus



commanding or directing the respondent to stop the payment of any work or order which are ready for payment on the basis of experience certificate of petitioner's company."

3. The connected petition i.e. WPMB No.11 of 2025 is by the sixth respondent against whom the reliefs are sought for in the first petition. In the connected writ petition, the sixth respondent is the petitioner and is seeking the following reliefs:-

"(a) Issue a writ, order or direction in the nature of certiorari quashing and setting aside the impugned order dated 18.05.2024 passed by Respondent no.2 against the petitioner (Annexure No.23 to the writ petition); and

(b) Issue any other writ, order or direction in the nature of certiorari, which this Hon'ble may deem fit and proper under the facts and circumstances of the case including cost for mental and financial harassment and immense loss of reputation and standing of the petitioner LLP and its designated partner Sh Amit Goyal."

4. The facts, in nutshell, are that the sixth respondent was part of the petitioner concern. The difference is that the petitioner claims he was a paid Director or, in other words, an employee. The sixth respondent claims that he was a partner. The allegation is



that the sixth respondent, after having exited the petitioner Company a Private Limited Organization, has used the documents i.e. documents of the Private Limited Company, demonstrating execution of contracts for demonstrating experience and to have himself registered with the fourth respondent i.e. the Uttarakhand Peyjal Nigam and that thereafter on a complaint by the petitioner, the fourth respondent has deregistered the petitioner and thus the second petition is filed, challenging the correctness of the deregistration. In the meanwhile, the petitioner in the lead petition is seeking cancellation of the sixth respondent's registration with the fifth respondent i.e. the Uttarakhand Jal Sansthan.

5. The issue of deregistration is now subject matter of enquiry before the fifth respondent-Uttarkhand Jal Sansthan and the said inquiry has been initiated on the complaint of the petitioner in the lead petition. Insofar as Uttarakhand Peyjal Nigam is concerned, they have already conducted an inquiry, acting on the complaint of the petitioner and deregistered the sixth respondent Company. Now, the said deregistration is called in question before this Court. The pending inquiry is also for deregistration and on similar grounds. In the



event, this Court were to judge the issue of correctness of deregistration by the fourth respondent – Uttarakhand Peyjal Nigam, it would directly impinge on the pending inquiry and render it for an anti-formality. There is also another possibility that the respondent may get wiser with the observations made by this Court and may also make an attempt to fill up any lacunas or loopholes that may be pointed out by this Court, if and when it decides to allow the petition.

6. In that view, we are of the opinion that the first petition could be disposed of as not surviving for consideration, in view of the fact that the fifth respondent i.e. the Uttarakhand Jal Sansthan has already initiated the inquiry and the said inquiry is pending. Accordingly, the lead petition WPMB No.536 of 2024 is disposed of as not surviving for consideration in view of the fifth respondent having initiated the inquiry process.

7. Insofar as the second connected petition is concerned, the same is also disposed of by reserving liberty to the petitioner to agitate the orders, after the completion of the inquiry by fifth respondent i.e. Uttarakhand Jal Sansthan. Whether the order of fifth respondent is against the sixth respondent and on a



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different ground or on a similar ground, it would only make it easier by narrowing down the area of conflict and can be expeditiously considered by this Court. Reserving such liberty to approach this Court after the disposal of inquiry, if the sixth respondent and the petitioner in connected petition deems necessary, second petition is also disposed of without making any observation on the merits of the matter. The Competent Authority shall consider and dispose of the pending inquiry, strictly in accordance with law. The inquiry shall be completed in an expeditious manner and at any rate within an outer limit of three months from the date of receipt of a copy of this order.

8. In view of the above order, there shall be no order as to costs.

9. All pending applications shall stand closed.

(G. NARENDAR, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 07.01.2026

Rajni

**RAJINI
GUSAIN**

Digitally signed by RAJINI GUSAIN
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