



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
THE HON'BLE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA
AND
THE HON'BLE JUSTICE MR. SUBHASH UPADHYAY
Writ Petition (PIL) No.39 of 2026
March 24, 2026

Bhupendra Singh & Another -----Petitioners

Versus

Union of India & Others -----Respondents

Presence:-

Mr. C.S. Rawat, Mr. Naveen Chandra Tewari and Mr. Vivek Kumar, learned counsel for the petitioners

Mr. Saurav Adhikari, learned Standing Counsel for Union of India/respondent nos.1 and 2

Mr. Rajeev Singh Bisht, learned Deputy Advocate General with Mr. Sachin Mohan Singh Mehta, learned Brief Holder for the State of Uttarakhand/respondent no.3

Mr. I.D. Paliwal, learned Standing Counsel for State of U.P./respondent no.4

Mr. Shobhit Saharia, learned counsel for THDC Limited/respondent no.5

JUDGMENT : (per Mr. Manoj Kumar Gupta C. J.)

1. Heard learned counsel for the parties.
2. The present petition has been filed ostensibly in public interest with the following prayers:-

“(i) Issue a suitable writ, order or direction restraining the respondents from restructuring the Board of THDC India Limited (THDCIL) or transferring its assets (including Khurja STPP) to NTPC Limited or Meja Urja Nigam Pvt. Ltd. (MUNPL) without finalization of the Original Suit No.5 of 2012 pending before the Hon’ble Supreme Court.

(ii) Issue a suitable writ, order or direction declaring that the Share Purchase Agreement dated 25.03.2020 does not



authorize NTPC Limited to alter the Articles of Association, Board composition, or operational domain of THDCIL.

(iii) Issue a suitable, writ or direction commanding the respondents to maintain the distinct identity and functional autonomy of THDC India Limited as envisaged in its Memorandum and Articles of Association, and as assured by the Union in prior proceedings before this Hon'ble Court."

3. The petitioners claim themselves to be permanent residents of District Tehri Garhwal and are themselves displaced persons as a result of construction of Tehri Dam. It is stated by Shri C.S. Rawat, learned counsel appearing for the petitioners that the petitioners have already been rehabilitated but they have filed the present writ petition *pro bono* to espouse the cause of other displaced persons, who have not been adequately compensated and whose number is stated to be 100.

4. In the writ petition, except as noted above, the credentials of the petitioners have not been disclosed. Learned counsel for the petitioners is also unable to convince us how the prayers made in the writ petition could be entertained or granted when the suit is stated to be pending before the Hon'ble Supreme Court. He is also not able to convince us how displaced farmers whose cause the petitioners are espousing, would in any manner be affected



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by the restructuring of the Board of THDC Limited or transfer of its assets.

5. We further observe that in the past also WPPIL No.220/2019 was filed by Bhupendra Singh and another for similar reliefs and after filing of counter affidavit, which indicated that there was no such proposal for merger, the petition was permitted to be withdrawn with a cost of ₹ 10,000.

6. The issues sought to be raised, in our considered opinion, are wholly beyond the so-called cause of the persons whose interest the petitioners claim to espouse. The petition is nothing but misuse of public interest litigation and is, accordingly, dismissed with a cost of ₹ 10,000 to be deposited by the petitioners before the Uttarakhand State Legal Services Authority within two weeks.

7. Pending application(s), if any, shall also stand disposed of.

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 24.03.2026

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**RAJINI
GUSAIN**

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