



2026:UHC:2644-DB

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 (M/B) No.214 of 2026
April 15, 2026

Rajesh Mehta

-----Petitioner

Versus

State of Uttarakhand & Ors.

-----Respondents

Presence:-

Mr. Atul Kumar Bansal, learned counsel for the petitioner

Mr. B.S. Parihar, learned Additional C.S.C. with Mr. Mohinder Singh Bisht, learned
Brief Holder for the State.

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

1. Heard learned counsel for the parties.
2. The present writ petition has been filed assailing an order dated 31.12.2025 passed by respondent no.3 herein i.e. Directorate of Geology and Mining Uttarakhand, Bhopalpani, Raipur Thano Airport Motor Road, Dehradun through its Director General in compliance of order dated 19.11.2025 in WPMB No.988/2025. The said writ petition was filed by the petitioner herein alleging that although he ceased to be a partner in the firm respondent no.4-M/s Shiva Stone Crusher but his name was continued to be shown as a partner.



3. The admitted facts are that there was a limited liability partnership firm in the name of respondent no.4. It was constituted in the year 2018 for carrying on business of stone crusher. It constituted of: (i) Rajeev Goyal (ii) Baldev Raj (iii) Sanjeev Kumar Sukhija, and (iv) petitioner herein. The said firm was granted permission to run a stone crusher on 30.07.2018 and permission for storage on 04.01.2019. On 26.09.2018, a supplementary deed of partnership came into existence, whereby one of the partners retired from the firm. On 20.05.2019, the firm was again reconstituted and thereby the petitioner herein retired from the firm. The firm was yet again reconstituted on 16.04.2021 and one new partner, namely, Karan Goyal was inducted in the firm.

4. It appears that the license of the stone crusher was expiring and therefore an application for its renewal was filed by the firm. On 07.07.2023, the department submitted a proposal for renewal of the license for another period of 10 years subject to the final outcome of a pending public interest litigation (WPPIL No.210/2021 *"Prem Singh Rawat vs. Uttarakhand State and another"*). On basis of the said proposal, the State Government issued an office order dated 20.09.2023 renewing license of the firm for a further period of 10 years. It appears that on basis of the said order, when the renewal order was issued, inadvertently name of the original partners came to be mentioned. The petitioner,



having come to know of the same, filed applications before the Department, for cancelling the license of the firm, as his name was wrongly used by the firm. Thereafter, the petitioner preferred WPMB No.988/2025 and in which order dated 19.11.2025 was passed for deciding the representation of the petitioner.

5. In compliance of the order of this Court, the representation has now been decided by the impugned order. The impugned order recites that the petitioner was duly intimated of the date fixed for hearing by sending a notice on his residential address. The process server was intimated by mother of the petitioner that the petitioner was not available at that time and she refused to accept the notice and consequently the process server left the notice at the house of the petitioner. The order further recites that on basis of the original partnership deed dated 28.02.2018 the license for stone crusher was granted on 20.06.2018, however, at the time of renewal, by inadvertence, notice of the amended partnership deeds, supplementary deeds/retirement deeds could not be taken and proposal was sent to the Government for renewal of lease in the name of the firm. The office order issued by the Government on 20.09.2023 only mentioned the name of the firm and not its partners. Therefore, inadvertently, while issuing the renewal order, the name of the original partners came to be mentioned. The said mistake



has already been corrected by office order no.2857 dated 18.08.2025 and now the name of the existing partners of the firm have been duly endorsed on the license. It is also categorically recorded in the order that as a result of the said mistake no monetary loss has been suffered by the Government nor any financial loss has resulted to the petitioner.

6. Learned counsel for the petitioner does not dispute that the mistake committed while renewing the license stands corrected by office order dated 18.08.2025; in fact copy of the said order has not been annexed by the petitioner and it appears that even while filing the previous writ petition the said order was not annexed by him.

7. On a query made to learned counsel for the petitioner as how the petitioner still feels aggrieved, he submits that the petitioner has been issued a notice on 12.08.2024 by CGST Department for the tax recoverable from the firm M/s Shiva Stone Crusher.

8. It has already come in the impugned order that the present partners of the firm have accepted all the liabilities towards the firm. The impugned order also clarifies the aspect that the petitioner's name was inadvertently included in the license and the said mistake already stands corrected. The impugned order therefore would in fact be a valid



2026:UHC:2644-DB

defence for the petitioner in response to the show cause notice to dispute his alleged liability towards the dues of the firm. It is always open to the petitioner to respond to the said notice and demonstrate before the authorities that his name was wrongly included in the license at the time of its renewal and the business was in fact being run by the present partners.

9. Having regard to the aforesaid facts, we find no good ground to interfere with the impugned order or to direct cancellation of the renewal permission in favour of the firm. The writ petition is, accordingly, dismissed.

10. No order as to costs.

11. Pending application(s), if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 15.04.2026

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