



HIGH COURT OF UTTARAKHAND AT NAINITAL
THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY
8th April, 2026

Writ Petition (PIL) No. 73 of 2025

Rakesh Sharma -----Petitioner
Versus
State of Uttarakhand & others -----Respondents

Presence:-
Mr. D.S.Mehta, learned counsel for the petitioner.
Mr. B.S.Parihar, learned Additional C.S.C. assisted by Mr. S.M.S.Mehta,
learned Brief Holder of the State/respondents no. 1, 3 and 7.
Ms. Devika Tiwari, learned counsel for the respondent no. 2.
Mr. Manoj Kumar, learned Standing Counsel for the Union of
India/respondents no. 4 & 6.
Mr. S.S.Lingwal, learned counsel for the respondents no. 8 & 9.

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

1. The present writ petition has been filed
ostensibly in public interest seeking the following
reliefs:

*“1. Issue a writ, order or direction in the nature of
certiorari quashing the order dated 11.07.2024
(contained as Annexure no. 5 to the Wirt Petition) by
which the 212.4868 hectares (approximately 524.78
acres) land of the G.B.Pant University, Pant Nagar,
District Udham Singh Nagar was transferred by the
Uttarakhand Civil Aviation Development Authority to the
Airport Authority of India.*



ii. Issue a writ, order or direction in the nature of certiorari quashing the order dated 15.04.2025 (contained as Annexure No. 20 to the writ petition) by which the respondent authorities issued the order of demotion of several structures, namely, the Seed Processing Plant, Turmeric Warehouse, Dryer Hall, Intake Shed, and Buffer Warehouse No. 2 within the area of Haldi, Pantnagar.

III. Issue a writ, order or direction in the nature of mandamus directing the respondent authorities to not proceed with the demolition and removal of several operational structure at Haldi, Pant Nagar.”

2. The issue raised in the writ petition is regarding utilization of certain part of the land of the respondent-University for purposes of expansion of the Airport.

3. Mr. S. S. Lingwal, learned counsel for the University opposes the writ petition.

4. Learned State Counsel submits that the land belongs to the State Government. It was initially allotted to the University but has now been given to the Aviation Department for expansion of Airport. He further submits that the same issue was raised by the Teachers Association of the University in another PIL bearing no. 8 of 2026, which came to be dismissed by



order dated 08.01.2026.

5. The said facts have not been disputed by learned counsel for the petitioner.

6. The relevant part of the order passed by the Coordinate Bench dated 8th January, 2026, in WPPIL No. 8 of 2026, is as follows:

“3. Learned State Counsel, however, submits that land in question was leased out by State Government to G.B. Pant University of Agriculture and technology and State Government as owner of land has taken a decision to divert some of land for expansion of airport.

4. Learned State Counsel further submits that Pant University Teacher Association does not have locus standi to challenge decision taken by State Government as petitioners are employees of University.

5. He further submits that if university has any grievance against decision taken by State Government, then University should have come forward through Registrar and teachers individually or teachers’ association cannot approach this Court for such relief.

6. This Court finds substance in the said submission. The land in question belongs to State Government. Purpose for which land is to be used can very well be decided by State Government. Expansion of Pant Nagar airport is necessary for development of entire region and if State Government has decided to part with some of land for expansion of airport so that bigger aircrafts can land and take off from Pant Nagar airport, decision taken by State cannot be faulted. State Government is custodian of public good and what is in public interest has to be decided by State Government.

7. This Court while exercising power under Article 226 of the Constitution of India will not sit in judgment over decision taken



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by State Government in public interest. Learned State Counsel is right in submitting that teachers' association of Pant University does not have locus to challenge decision taken by State Government and challenge, if any, can be thrown only by University and not by its employees.

8. Thus, there is no scope for interference. The writ petition fails and the same is, accordingly, dismissed."

7. We fully agree with the reasoning given by the Coordinate Bench while dismissing the writ petition filed by the Teachers Association of the University.

8. For the same reasons, the present writ petition is also dismissed.

9. Pending application, if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 08.04.2026
Kaushal