

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	 2026:UHC:3665-DB COURT'S OR JUDGES'S ORDERS
	13.05.2026		WPIL No. 130 of 2024 Satjit Singh Gulati Petitioner Vs. State of Uttarakhand & others Respondents <u>Hon'ble Manoj Kumar Gupta, C.J.</u> <u>Hon'ble Subhash Upadhyay, J.</u> 1. Mr. Vipul Sharma and Mr. Maneesh Bisht, learned counsel for the petitioner. 2. Mr. Amarendra Pratap Singh, learned Additional Advocate General for the State. 3. Mr. Atul Bhatt, learned Standing Counsel for the Union of India. 4. Mr. Aditya Pratap Singh, learned counsel for respondent no.3. 5. Dr. Aman Rab, learned counsel for respondent no.4 through <i>video conferencing</i>. 6. Mr. D.S. Patni, learned Senior Counsel assisted by Mr. Dharmendra Barthwal and Mr. Nitin Dahiya, learned counsel for respondent no.7. 7. On 06.05.2026, the following order was passed in the instant public interest litigation:- <i>"1. Mr. Vipul Sharma, learned counsel for the petitioner.</i> <i>2. Mr. B.S.Parihar, learned Additional C.S.C. for the State.</i> <i>3. Mr. Aditya Pratap Singh, learned counsel for the respondent no.3.</i> <i>4. Mr. Arman Rab, learned counsel for respondent no. 4 through V.C.</i> <i>5. Mr. Atul Bhatt, learned for Union of India.</i> <i>6. Mr. D.S.Patni, learned Senior Counsel assisted by Mr. Dharmendra Bharthwal, learned counsel for respondent no. 7.</i> <i>7. Mr. D.S.Patni, learned counsel appearing on behalf of respondent no. 7 has raised the following preliminary objections:</i>

(i) Petitioner is an interested person, inasmuch as, he is related to one Harjeet Chawla, who is partner of Gadarpur BioMedical Waste Treatment Facility in the name and style of M/s Global Environmental Solutions. According to learned counsel for respondent no. 7, the said facility at present is the only facility which is in operation in the State. Thus, the petition filed by the petitioner is a motivated one and at the behest of a rival competitor.

(ii) The petitioner has remedy of filing appeal against the consent to establish dated 29.11.2022 under Rule 16 of the BioMedical Waste Management Rules, 2016.

(iii) The petitioner also has remedy of approaching NGT.

(iv) The petitioner has, in fact, approached NGT in similar facts and circumstances against another environmental clearance and the said matter is pending before NGT. The petitioner is thus in habit of filing cases against environmental clearances to oust competition.

8. Learned counsel appearing on behalf of the petitioner seeks time to complete his instructions on the said aspect by tomorrow.

9. Accordingly, the matter is adjourned for a day.

10. Put up 08.05.2026."

8. The petitioner has now filed an application (IA No.18 of 2026) supported by his affidavit seeking permission to withdraw the instant writ petition with liberty to approach the National Green Tribunal.

9. The application is allowed. The writ petition is dismissed as withdrawn with liberty in term of the prayer made.

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

(Subhash Upadhyay, J.)
13.05.2026

(Manoj Kumar Gupta, C.J.)
13.05.2026

NISHANT

NISHANT
KUMAR