2026:UHC:3200-DB

HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

28th April, 2026

Writ Petition (M/B) No. 273 of 2026

Prem Singh Panwar ------Petitioner

Versus

State of Uttarakhand & another -----Respondents

Presence:-

Mr. Rituparana Joshi, Mr. Saif Ahmad and Mr. V.P.Bahuguna, learned counsel for the petitioner.

Mr. Yogesh Chandra Tiwari, learned Standing Counsel, assisted by Mr. and Mr. M.S.Bisht, learned Brief Holder for the State/respondent nos. 1,3,4,5 and 6.

Mr. Aditya Pratap Singh, learned counsel for the respondent no.2.

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

1. The present writ petition has been filed by the petitioner assailing office memorandum dated 05.05.2025, by which, permission has been granted by the State Government in favour of respondent no.7 for operating Stone Crusher plant over Khasra No. 292 and 311/13, 293 and 294, admeasuring 16.78 Bigha equivalent to 1.289 Hectare. The case of the petitioner is that he is co-sharer of the said holding and his other co-sharers have given the land on lease to private respondent no. 7 without obtaining any no objection from him.

2. We find that in the representations made by the petitioner and villagers they have not set up any such case but these representations are general in nature on behalf of the villagers complaining that their no objection was not taken before granting permission to respondent no. 7 to set up the stone crusher plant.

3. In view of the above, we dispose of the instant petition with liberty to the petitioner to move proper representation before the State Government. We further provide that in the event any such representation is made, the State Government shall take decision on the same strictly, in accordance with law, after due notice and opportunity of hearing to all concerned.

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

(MANOJ KUMAR GUPTA, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 28.04.2026
Kaushal