SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPMB/545/2024 Ms Adway --Petitioner **Versus** Executive Officer Nagar Palika Parishad --Respondent **Hon'ble Manoj Kumar Tiwari, A.C.J.** **Hon'ble Subhash Upadhyay, J.** No representation for the petitioner. Ms. Ananya Jain, Advocate holding brief of Mr. Sandeep Kothari, Advocate for the respondent. 2. This writ petition is filed by an advertising firm challenging the Notice dated 14.11.2024 issued by Nagar Palika Parishad, Ramnagar District Nainital. By said notice, offers were invited from interested persons for the award of contract for collection of advertising fees. 3. Petitioner has challenged said notice on the ground that Nagar Palika cannot collect advertising fees in respect of hoardings/ advertisements erected over forest land and National Highways. 4. Counter affidavit is filed by Executive Officer, Nagar Palika Parishad, Ramnagar. Para 8 and 9 of the counter affidavit are reproduced below: "8. That it is relevant to mention herein that all such unipoles or hoardings or the advertisement sites forming subject matter of the notice inviting tender dated 14.12.2024 are situated within the territorial limits of the Nagar Palika Parishad, Ramnagar, District-Nainital and not a single site is situated within the reserved forest area.

			9. That is submitted herein that the boundaries of the Nagar Palika Parishad, is adjacent to the boundaries of the reserved forest and all such unipoles, the sites thereof are within the boundary of the Nagar Palika Parishad, Ramnagar, District-Nainital and it was never installed in the land of the reserve forest. It is submitted herein that the location of unipoles and the advertisement sites, alongside the National Highways are selected in such a manner that they give a maximum view of the advertisement and has a great impact on the publicity of the product displayed over it and hence it is a great source of income for the Nagar Palika Parishad Ramnagar also and further such boards are existing for last atleast 6 years and there is no objection of any kind as ever been raised by anyone." 5. The said counter affidavit was filed on 02.03.2025, but no rejoinder affidavit is filed by petitioner. Thus we have no other option but to treat the averments made in the counter affidavit as correct. 6. Learned counsel for Nagar Palika Parishad submits that this is a motivated writ petition, as petitioner does not want any competitors to enter into the field of advertising. 7. We find substance in the submission made by learned counsel for the respondent. 8. Notice inviting tender issued by Nagar Palika Parishad cannot be questioned on the ground raised by petitioner. Moreover, petitioner is working in the same field, therefore we find substance in the contention raised on behalf of Nagar Palika Parishad that petitioner does not want competitors to enter into the field in which petitioner is

operating.

9. Thus we do not find any scope for interference in the matter. Writ petition fails and is dismissed.

10. Interim order dated 29.11.2024 shall stand vacated.

(Subhash Upadhyay, J.) (Manoj Kumar Tiwari, A.C.J.)
27.10.2026

Mahinder/

MAHINDER SINGH

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