2026:UHC:10042

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Misc. Single No. 3375 of 2026

Yadram --Petitioner

Versus

Director Urban Development and Others --Respondents

Presence:-

Ms. Ananya Jain, learned counsel holding brief of Mr. Sandeep Kothari, learned counsel for petitioner.

Mr. J.S. Bisht and Mr. Suyash Pant, learned Standing Counsel for the State of Uttarakhand/respondent Nos.1 and 2.

Hon'ble Pankaj Purohit, J. (Oral)

By means of the present writ petition, petitioner has sought a mandamus directing the respondents to logically conclude the complaint preferred by the petitioner on 12.03.2025, inasmuch as the said complaint has been substantiated by the findings recorded by the Joint Inquiry Committee constituted by the District Magistrate, Udham Singh Nagar on 12.03.2026, however, the respondent authorities have failed to take further steps pursuant to the aforesaid inquiry report and the complaint preferred by the petitioner dated 12.03.2025 has still not been logically concluded in accordance with law.

2. The brief facts of the case are that petitioner and respondent No.4 both are residents of same locality. Respondent No.4 was granted compassionate appointment on 19.11.2025 post the death of his father. According to petitioner, respondent No.4 had secured compassionate appointment by forging documents and to cause undue loss to State Government and Nagar Panchayat Kela Kheda, District Udham Singh Nagar; a complaint to this effect was preferred by petitioner on 12.03.2025 before the District Magistrate, Udham Singh

Nagar. The said complaint was forwarded to SDM Bajpur, on 15.04.2025, with a direction to enquire into the allegations made in the complaint and submit the inquiry report before District Magistrate, Udham Singh Nagar. SDM, Bajpur, District Udham Singh Nagar, submitted an inquiry report on 05.08.2025 carried out by a three-member committee dated 30.07.2025 comprising of Executive Officer, Nagar Panchayat Sultanpur, Block Education Officer, Bajpur, and Tehsildar, Bajpur. Thereafter, considering such reports submitted by SDM, Bajpur, District Magistrate, Udham Singh Nagar, vide order dated 26.08.2025 constituted a four-member committee to carry out further proceedings in the matter. Pursuant to the aforesaid orders so issued by the District Magistrate, the inquiry committee held its meeting and issued the minutes of meeting on 12.03.2026. On 02.04.2026, the District Magistrate approved the report and forwarded the same to Executive Officer, Nagar Panchayat Kela Kheda that the correct date of birth 05.06.1987 be recorded. However, no further steps have been taken by the respondent-authorities to punish respondent No.4 and to take appropriate action with respect to service of respondent No.4. Thereafter, petitioner preferred representation on 20.07.2026 and also preferred a complaint on the CM Helpline and even a detailed representation in this regard on 20.08.2026 has been forwarded to Vigilance Establishment, District Magistrate and Director, Urban Development Department, however, till date, any action taken, if any, has not been communicated to petitioner. Thus, petitioner is before this Court.

3. Learned counsel for petitioner submits that respondent No.4 committed forgery with respect to the

date of birth, and under such circumstances, the compassionate appointment so given to him was liable to be cancelled and further appropriate proceedings under criminal law were required to be taken. She further submits that when there is a specific inquiry report with respect to forgery and manipulation of record made by respondent No.4 while seeking compassionate appointment, and there is a due and proper inquiry conducted, then there is deliberate inaction and omission on the part of the respondent authorities to discharge their obligations to proceed in accordance with law for dispensation/removal of respondent no.4 from services as well as for lodging the appropriate First Information Report, as respondent No.4 has committed criminal offences.

4. Having heard the learned counsel for the parties and having gone through the material available on record, this Court is of the view that Committee has submitted its report in accordance with law and further respondent No.4 was appointed as Sweeper on compassionate ground, petitioner has got no locus to file the present writ petition. Thus, this Court is not inclined to invoke its extraordinary jurisdiction under Article 226 of the Constitution of India.

5. Accordingly, the present writ petition fails and is dismissed *in-limine*.

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

(**Pankaj Purohit, J**.)
02.11.2026

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