SL No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPPIL No. 161 of 2026 **Sushil Kumar & anr ---- petitioners** **Vs** **Union of India & ors ---- respondents** **Hon'ble Manoj Kumar Tiwari, A.C.J.** **Hon'ble Subhash Upadhyay, J.** 1. Mr. Ramji Srivastava, learned counsel for the petitioners. 2. Mr. Lalit Sharma, learned Deputy Solicitor General of India with Mr. Manoj Kumar, learned Standing Counsel for the Union of India / respondent No. 1. 3. Mr. Naresh Pant, learned counsel for NHAI / respondent No. 2. 4. Mr. Amarendra Pratap Singh, learned Additional Advocate General for the State / respondent Nos. 3 to 5. 5. On the oral prayer made by counsel for the petitioner he is permitted to add Project Director, National Highway Authority of India, PIU Vasant Vihar, Dehrdaun as respondent No. 6. Amended memo of parties be filed during course of the day. 6. Petitioners are resident of Shah Nagar, P.O. Defence Colony, Dehradun. 7. By means of this writ petition, filed in public interest, they have sought following reliefs : "i) A suitable writ, order or direction in the interest of public at large setting aside the notification dated 07.08.2026 issued by the Ministry of Road Transportation and National Highway and published in the newspapers and gazette notification dated 07.08.2026 for acquisition of the land of the Villages lying in between of Majra to Chak Ajabpur Khurd

(Annexure No. 4, Page Nos. 32 to 34 of the writ petition).

ii) Issue suitable order or direction in the nature of mandamus directing the respondents to construct the elevated road as per old DPR and the respondents may further be directed not to construct elevated road pursuant to changed alignment."

8. According to the petitioners, the alignment of the Asharori-Mianwala elevated corridor on NH-07 (NH-72) in Dehradun city has been changed and the said elevated road is now being constructed through Ajabpur Kalan-Mohkampur, which is a very densely populated area and would entail lot of inconvenience to the persons residing in that locality and also would increase the cost of the elevated road because of huge cost of land acquisition.

9. Per contra, Mr. Pant appearing for NHAI submits that notification under Section 3A of National Highways Act, 1956 was issued *qua* the land which is proposed to be acquired, on 07.08.2026, and affected persons have filed their objections under Section 3C and, the CALA has to hear the objections and pass appropriate orders. He submits that the alignment of elevated road has been approved by the Central Government and it is not easy to change the alignment of a road, and especially elevated road, because the agency which determines the alignment has to consider various aspects including load of vehicular traffic on the road and safety features.

10. Since the acquisition process has also started, therefore, any interference by this Court at this stage would not be warranted. However, having

regard to the issues raised by the petitioners, we permit them to make representation to the Project Director, National Highway Authority of India, PIU Vasant Vihar, Dehradun. If petitioners make representation giving all facts and figures, the representation shall be decided by the Project Director, NHAI, as per law, within three months thereafter.

11. Writ petition stands disposed of accordingly.

12. All pending application(s) also stands disposed of.

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

05.11.2026 05.11.2026

Negi

HIMANSHU NEGI

Digitally signed by HIMANSHU NEGI
DN: c=IN, o=HIGH COURT OF UTTARAKHAND, ou=HIGH COURT OF UTTARAKHAND, 2.5.4.20=bb3b60774012c1ef1dae20d13aaf116e73351fdaf6878326386908a7f90d5757, postalCode=263001, st=UTTARAKHAND, serialNumber=75BD9D0FB7F4A80990FC51A722A6BC552D470EB4FD2F88DDF7C18DB2A1524A4D, cn=HIMANSHU NEGI
Date: 2026.11.05 18:28:21 +05'30'