SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPMB/1142/2025 Usha Breco Limited and another --Petitioners **Versus** State Of Uttarakhand and others --Respondents **Hon'ble Manoj Kumar Tiwari, A.C.J.** **Hon'ble Subhash Upadhyay, J.** Mr. Navneet Kaushik, Advocate for the petitioners. Mr. S.N. Babulkar, Advocate General with Mr. Amrendra Pratap Singh, Additional Advocate General, Mr. Ganesh Kandpal, Additional Advocate General, Mr. P.S. Bisht, Chief Standing Counsel, Mr. B.S. Parihar, Additional Chief Standing Counsel, Mr. Gajendra Tripathi, Standing Counsel and Mr. Akshit Gururani, Brief Holder for the State. Mr. Sandeep Kothari and Mr. Lalit Miglani, Advocates for respondent Nos. 2 and 3. 2. By means of this writ petition, petitioner has sought the following reliefs: "i) To issue a writ, Order, or direction in the nature of certiorari quashing the impugned letters dated 18.12.2025 (Annexure No. 1) and 20.12.2025 (Annexure No. 2), which are arbitrary, illegal and in gross violation of Article 14 of the Constitution of India; ii) To issue a writ, order, or direction in the nature of mandamus directing the respondent No.4 not to proceed any further in respect of the tender process pertains to the operation and maintenance of Maa Mansadevi Ropeway. iii) To issue a writ, Order or direction in the nature of mandamus directing a high level enquiry/investigation to be initiated to inquire the "unavoidable circumstances" in which the tender dated 08.09.2025 was cancelled and further the facts and

			circumstances leading to handing over of RFP formulation by Respondent No. 2/3 to respondent No.4 and to further pass orders for time bound inquiry/investigation in the matter." 3. The impugned letters are enclosed as Annexure-1 and 2 to the writ petition. 4. Annexure 1 is a letter dated 18.12.2025, issued by Municipal Commissioner, Haridwar to Secretary, Urban Development Department, in which it is mentioned that approximately 20 lakh pilgrims use Mansa Devi Ropeway at Haridwar annually, and the company charges a fare of Rs. 199/- per passenger. Thus a total annual income of Rs. 39,80,00,000/- (Rupees Thirty Nine Crore Eighty Lakh Only) is generated; Mansa Devi Ropeway is operational for the past 40 years and the work related to operation and maintenance of ropeway is of specialised nature and human safety is involved, therefore it would be appropriate if tender conditions (RFP) for operation and maintenance of the ropeway are prepared by Uttarakhand Public Private Partnership (PPP) Cell, after examining technical aspects. 5. Another letter which is impugned by petitioner, was issued by Municipal Commissioner on 20.12.2025 (Annexure-2), whereby Secretary, Urban Development Department was informed

			that Board of Municipal Corporation, Haridwar has passed a resolution that such companies which have experience of operating minimum two ropeways, out of which one should be minimum 10 years experience in operating similar technology ropeway, alone may be allowed to participate in the tender process. Municipal Commissioner mentioned that the resolution passed by the Board may result in eliminating competition, which will affect the financial interest of the Corporation, and Secretary, Urban Development, was requested to examine the resolution passed by the Board and have the conditions of the RFP formulated keeping in mind the points mentioned in the Committee's report. 6. Learned counsel for the respondents submit that petitioner does not have any locus standi to challenge the interdepartmental communications issued by Municipal Commissioner to the State Government; petitioner's interest is not going to be affected in any manner by the impugned communications and there is no legal injury whatsoever to the petitioner which may give rise to a cause of action for maintaining this writ petition and further that there is no illegality or infirmity in

			the impugned communications, which may warrant interference under Article 226 of the Constitution of India. 7. It is further contended by learned counsel for the respondents that petitioner is operating Mansa Devi Ropeway continuously for last more than 45 years by extending the contract from time to time without inviting tenders. It is thus contended that eligibility conditions were tailor made by the Board of Municipal Corporation to ensure that petitioner alone is able to participate in the biding process and all other competitors are ousted from the field of eligibility. 8. We are not inclined to interfere with the interdepartmental communications impugned by petitioner. The communications issued by Municipal Commissioner, Haridwar on 18.12.2025 and 20.12.2025 cannot be faulted. As Chief Executive Officer of Municipal Corporation, Commissioner was justified in requesting the State Government to modulate the conditions in the RFP/Notice Inviting Tender with a view to ensure safety of the people using ropeway and also to protect the financial interest of the Municipal Corporation by promoting competition.

			9. We have been informed that State legislature has enacted a special law which covers the field, namely, Uttarakhand Ropeways Act, 2014 and State Government is vested with the power to regulate and operate ropeways in the State under the said Act. 10. For the aforesaid reasons, we do not find any scope for interference in the matter. 11. The writ petition is however disposed of with a direction to State of Uttarakhand to invoke its power under the aforesaid Act to streamline the functioning of ropeways in the State, more particularly, Mansa Devi Ropeway at Haridwar. We hope that necessary steps shall be taken by the State Government within three months from today. **(Subhash Upadhyay, J.) (Manoj Kumar Tiwari, A.C.J.)** **28.10.2026** Mahinder/ MAHINDER SINGH Digitally signed by MAHINDER SINGH DN: c=IN, o=HIGH COURT OF UTTARAKHAND, ou=HIGH COURT OF UTTARAKHAND, 2.5.4.20=da621 2eda78d99ed0134842c6a6d85ca 168979c a7bbc2f501a42c81a180d8823c, postalCode=263001, st=UTTARAKHAND, serialNumber=A07787CE82405B83928E04FECDD4C2AF 3DDC4A2023058F8C9E44B48A4A1C38BF, cn=MAHINDER SINGH Date: 2026.10.29 13:46:36 +05'30'