

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (M/S) No. 1051 of 2011

Mustaqeem

....Petitioner.

Versus

State of Uttarakhand and others

...Respondents.

Sri Manish Arora, Advocate present for the petitioner.

Sri P.C. Bisht, Brief Holder present for the State of Uttarakhand.

Hon'ble Sudhanshu Dhulia, J. (Oral)

Heard Sri Manish Arora, Advocate present for the petitioner as well as Sri P.C. Bisht, Brief Holder present for the State of Uttarakhand.

The petitioner is a Ward Member of Nagar Palika, Mangalore. He seeks quashing of a resolution of Nagar Palika dated 10.5.2011. The contention of the petitioner is that such a resolution has been passed by Nagar Palika inspite of the directions of the District Magistrate, Haridwar to Nagar Palika not to hold the meeting or pass any agenda.

On the face of it, such a proposition does not stand on its legs inasmuch as the District Magistrate has got no power under the law to pass such an order directing a democratically elected body such as Nagar Palika to withhold its meeting or not to pass any particular agenda. At least no provision or any law has been shown by learned counsel for the petitioner as to from where the District Magistrate derives such an authority.

Writ petition has no merit and is liable to be dismissed and is hereby dismissed.

No order as to costs.

(Sudhanshu Dhulia, J.)

27.5.2011

Avneet