

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
Writ Petition (S/S) No. 1166 of 2013

Akhilesh Negi

... Petitioner

Vs

State of Uttarakhand & others

... Respondents

Mr. Rakesh Thapliyal, Advocate, present for the petitioner

Mr. Subhash Upadhyay, Standing Counsel, present for the State of Uttarakhand.

Hon'ble Sudhanshu Dhulia, J. (Oral)

Heard Mr. Rakesh Thapliyal, learned counsel for the petitioner, Mr. Subhash Upadhyay, learned Standing Counsel for the State of Uttarakhand and perused the record.

The claim of the petitioner is that his mother died in the forest area of Uttarakhand, due to the forest fire. He, therefore, claims appointment in the Forest Department.

Learned Standing Counsel for the State, however, objects his claim and says that there is no provision of law under which the petitioner can establish his claim.

The averments made in the writ petition also do not suggest that the claim of the petitioner is based on any established law except that the petitioner claims that in the similar circumstances appointments have been given to other persons. However, the claim of the petitioner has been rejected by the Divisional Forest Officer, Pauri Garhwal on the ground that such decision can only be taken by the State Government. This Court of the view that no relief, as claimed by the petitioner in

the present writ petition, can be granted to the petitioner.

Accordingly, the writ petition is dismissed. However, the petitioner is at liberty to raise his claim before the State Government and in case, the petitioner makes any representation to the State Government, the dismissal of this writ petition will not come in the way of the petitioner. No order as to costs.

(Sudhanshu Dhulia, J.)

31.08.2013

Aswal