

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

ON THE 30th DAY OF JUNE, 2021

BEFORE:

HON'BLE SHRI JUSTICE MANOJ KUMAR TIWARI

Writ Petition (M/S) No.1224 of 2021

BETWEEN:

Ramvraksh SahaniPetitioner

(Mr. Vikas Kumar Guglani, Advocate)

AND:

State of Uttarakhand & Ors.

.....Respondents

(Mr. T.S. Phartiyal, Addl. C.S.C. for the State of Uttarakhand and
Mr. Gopal K. Verma, Standing Counsel for State of U.P.)

JUDGMENT

Heard learned counsel for the parties through video conferencing.

2. Petitioner was allotted a piece of land by Executive Engineer, Irrigation Division, Bareilly for developing a nursery. Said allotment is valid upto 30.06.2021, as is apparent from perusal of the order dated 30.05.2018, which is Annexure-4 to the writ petition.

3. Petitioner has challenged auction notice issued by Assistant Engineer, 2nd Sub-Division, Nanaksagar, Udham Singh Nagar, whereby bids were invited for allotment of the land situate on the

eastern side of the Nanaksagar Dam in Village Jungle Jogithar, for developing a nursery.

4. It is the contention of the learned counsel for the petitioner that the description of the land is not properly given and the auction notice is absolutely vague, therefore, it deserves to be quashed.

5. Per contra, learned Standing Counsel appearing for the State of U.P./respondent nos.4, 5 and 6 submits that there is no infirmity in the impugned auction notice. He further submits that as per the auction notice, auction was to be held on 09.06.2021; therefore, the writ petition has become infructuous.

6. Without going into the merits of the case, this Court thinks that ends of justice would be met if petitioner is permitted to approach the Executive Engineer, Irrigation Division, Bareilly, by making a representation for ventilation of his grievance. If such representation is made within 10 days from today, the Executive Engineer shall consider the same and pass appropriate order, in accordance with law, within six weeks thereafter.

7. Subject to the above, writ petition stands disposed of finally.

(MANOJ KUMAR TIWARI, J.)