

IN THE HIGH COURT OF UTTARAKHAND  
AT NAINITAL

THE HON'BLE THE ACTING CHIEF JUSTICE SRI MANOJ KUMAR TIWARI  
AND  
THE HON'BLE SRI JUSTICE PANKAJ PUROHIT

W R I T P E T I T I O N ( M / B ) N O . 2 4 7 O F 2 0 2 3

30<sup>TH</sup> NOVEMBER, 2023

Ravindra Pratap Singh ..... Petitioner

## Versus

State of Uttarakhand & others ..... Respondents

Counsel for the petitioner : Mr. Pankaj Chaturvedi, learned counsel

Counsel for the respondents : Mr. P.C. Bisht, learned Additional Chief Standing Counsel for the State

The Court made the following:

**JUDGMENT:** (per Hon'ble The Acting Chief Justice Sri Manoj Kumar Tiwari)

On 11.05.2022, petitioner was granted permission to remove river bed material under dredging policy by the State. As per conditions of the permission, he was required to remove the river bed material upto 30.06.2022. Petitioner could not remove the entire quantity of river bed material within the given time.

Thus, the said permission granted to him expired on 30.06.2022. Now, the Director, Mining and Geological Directorate, Dehradun has invited bids for award of contract of removing river bed material from the river, for which petitioner was earlier granted permission. In this writ petition, petitioner has challenged said tender notice.

2) By means of this writ petition, petitioner has sought the following substantial reliefs :

- i) *Issue a writ, order or direction in the nature of certiorari quashing the Office Memorandum dated 22.08.2023, along with tender notice dated 29.08.2023 (Annexure-1) to the extent of Village Chamoli Sain, Tehsil Satpuli, and District Pauri of Khasra No. 841.*
- ii) *Issue a writ, order or direction in the nature of certiorari quashing the impugned recovery notice dated 08.02.2023 (Annexure-2) / recovery certificate dated 06.07.2023 (Annexure-3).*
- iii) *Issue a writ, order or direction in the nature of mandamus directing the respondent No. 2 to consider the extension of time pursuant to the RBM mining permission dated 11.05.2022 (Annexure-5) in compliance of GO No. 1109 dated 30.11.2022 (Annexure-9)."*

3) Learned State counsel points out that similar controversy was decided by this Court in Writ Petition (M/B) No. 246 of 2023.

4) Mr. Chaturvedi, learned counsel for the petitioner, does not dispute the said submission, and submits that the present writ petition may be decided in terms of *judgment dated 29.09.2023, rendered in Writ Petition (M/ B) No. 246 of 2023.*

5) We, accordingly, dispose of the writ petition in terms of judgment dated 29.09.2023, and direct the Commissioner, Garhwal Division to make an endeavour to decide the appeal filed by the petitioner against recovery citation within six weeks from the date of production of certified copy of this order.

6) Interim Relief Application (IA No. 01 of 2023) also stands disposed of.

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MANOJ KUMAR TIWARI, A.C.J.

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PANKAJ PUROHIT, J.

Dt: 30<sup>TH</sup> NOVEMBER, 2023  
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