

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition PIL No. 13 of 2009

Prof. Ajay Singh Rawat. Petitioner

Versus

Union of India & others. Respondents

Mr. R.S. Bisht, Advocate for the petitioner.

Mr. Subhash Upadhyaya, Brief Holder for respondents Nos. 3 to 7.

Mr. Sandeep Kothari, Advocate holding brief of Mr. Shobhit Saharia, Advocate for respondent No. 8.

Hon'ble V.K. Gupta, C.J.

Hon'ble V.K. Bist, J.

For the reasons stated, Impleadment Application No. 1901 of 2009 is allowed. Army Welfare Housing Organisation Society is hereby impleaded as respondent No. 9 in this petition. The petitioner shall file the amended memo of parties in one week. Notice shall be issued to the newly impleaded respondent thereafter returnable in four weeks.

In the meanwhile, the appearing respondents shall file counter affidavits in six weeks.

In so far as the grant of interim relief is concerned, before we consider issuing any direction with respect thereto, we deem it appropriate that a team of officers is sent to inspect the place in question and report to us whether any illegal or unlawful boring by anyone is being carried out in the area in question. We accordingly hereby direct Chief Conservator of Forests, Kumaon Region, Nainital, respondent No. 5, and District Magistrate, Nainital, respondent No. 7, to jointly inspect the site in question and submit report to us within one week from today. The report shall be filed in the Registry positively within one week.

Mr. Subhash Upadhyaya, the learned Brief Holder is hereby directed by us to communicate this direction to the aforesaid two Officers by 2:00 p.m. tomorrow.

List on 27th March, 2009 for consideration of the interim relief matter.

Sd
(V.K. Bist, J.)
19.03.2009

Sd
(V.K. Gupta, C. J.)
19.03.2009

G

Photo that have copy
[Signature]

Assistant Registrar (Copying)
High Court of Utt. Pradesh
NAINITAL

31.3.09

Compare with
original
[Signature]