

| SL. No | Date | Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures | COURT'S OR JUDGES'S ORDERS |
|--------|------------|--|--|
| | 24.05.2023 | | <p>WPPIL No. 78 of 2023</p> <p><u>Hon'ble Vipin Sanghi, C.J.</u> <u>Hon'ble Rakesh Thapliyal, J.</u></p> <ol style="list-style-type: none"> 1. Mr. K.P. Upadhyaya, learned Senior Counsel assisted by Mr. Ravi Joshi and Mr. Hemant Pant, learned counsels for the petitioner. 2. Issue notice. 3. Mr. S.C. Dumka, learned Standing Counsel for the Union of India, appears and accepts notice on behalf of respondent nos. 1 and 2. 4. Mr. S.N. Babulkar, learned Advocate General assisted by Mr. S.S. Chauhan, learned Deputy Advocate General for the State of Uttarakhand, appears and accepts notice on behalf of respondent nos. 3 to 5. 5. The petitioner - Subhash Sharma, who claims to be a public spirited person, has preferred this Writ Petition to espouse the cause of the residents of Badrinath Township, who are allegedly facing massive demolition drive at the hands of the State, and the District Administration. It is claimed that the properties of the residents of the Badrinath Township are being taken over, without complying with any provision of law by the State, and people are being rendered homeless. It is alleged that acquisition proceedings have not been undertaken under the Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013, to implement the project in relation to Badrinath Township. |

6. We find it rather puzzling to see that not a single person, whose rights are adversely affected by the so called execution of the dream project, is before this Court. The petitioner is not himself affected by the ongoing project in relation to Badrinath Township, as he is a resident of Dehradun.

7. Our aforesaid observations have been made in the light of the submissions advanced by the learned Advocate General, who states that the entire project is being undertaken with the consent of the residents of Badrinath Township, and they have been adequately compensated, and also provided alternate accommodations, with which they are fully satisfied.

8. The petitioner claims that the State is taking massive demolition exercise, and even deploying heavy machinery. In this regard, reliance has been placed on the photographs placed on record.

9. It is obvious that if redevelopment of Badrinath Township is being undertaken, there is bound to be demolition to clear the area for redevelopment for public services. For that purpose, deployment of heavy machinery may be justified. There is no material placed before us by the petitioner, for us to infer that the ongoing activity is, in any way, detrimental to the environment of Badrinath Township.

10. In any event, we are inclined to direct the State to ensure that, while undertaking redevelopment works, all steps and measures are taken so as to ensure that there is no environmental degradation, in and around the Badrinath Township.

11. The present Writ Petition is meritless, and is dismissed as such.

12. Consequently, pending application(s), if any, also stand disposed of accordingly.

(Rakesh Thapliyal, J.)
24.05.2023

(Vipin Sanghi, C.J.)
24.05.2023

Rahul