



2026:UHC:950-DB

HIGH COURT OF UTTARAKHAND AT NAINITAL
HON'BLE THE CHIEF JUSTICE SRI MANOJ KUMAR GUPTA, C.J.

AND

HON'BLE SRI JUSTICE SUBHASH UPADHYAY, J.

16th February, 2026

Writ Petition (PIL) No. 17 of 2026

Khursheed Ahmed

-----Petitioner

Versus

State of Uttarakhand and others

-----Respondents

Presence:-

Shri Shashank Pandey and Akshay Pradhan, learned counsel for the petitioner.

Shri Amrendra Pratap Singh, learned Additional Advocate General, assisted by Mr. Gajendra Triapthi, learned Standing Counsel for the State/respondent no1, 3 & 5.

Shri Lalit Sharma, learned Deputy Solicitor General of India for the respondent no. 2.

Shri Rahul Consul, learned counsel for the respondent no. 4.

Shri Manoj Kumar, learned C.G.S.C. for the respondent no.6.

Shri Aditya Pratap Singh, learned counsel for respondent no. 7.

JUDGMENT: (per Manoj Kumar Gupta, C.J.)

1. The present petition has been filed purportedly in public interest seeking to highlight environmental impact on proposed construction of elevated road corridor over riverbeds of Rispana and Bindal rivers.

2. Learned State counsel has placed on record the instructions received from the Under Secretary and copy of the communication by Chief Engineer and Head of the Department dated 13.02.2026 addressed to Secretary,



2026:UHC:950-DB

Public Works Department, Uttarakhand Government, Dehradun. It states that for the aforesaid two projects, Seismic Assessments and Geotechnical Investigation were carried out in the year 2021-22. The Hydrological Study for the aforesaid two projects was got done through IIT Roorkee in the month of June, 2024. Environmental Impact Assessment was also carried out in December, 2025. Social Impact Assessment for Rispana Elevated Corridor was got done between May, 2025 and July, 2025 through Graphic Era University, Dehradun and for Bindal Elevated Corridor Project between May, 2025 and July, 2025 through Shri Guru Ram Rai University, Dehradun. The Social Impact Assessment reports of both the elevated corridors were forwarded to the Special Land Acquisition Officer, Dehradun in August, 2025 and the reports were placed in public domain in the month of August, 2025. Public hearing was done between 27.08.2025 and 10.09.2025 in respect of 11 villages, which would be affected by Rispana corridor. The public hearing for Bindal corridor pertaining to 16 villages, which would be affected, was also got done and the report of the Government was uploaded on website dehradun.nic on 13.08.2025.



3. The preliminary notification for acquisition of the land for aforesaid two projects under section 11 of The Right to Fair Compensation and Transparency In Land Acquisition, Rehabilitation and Resettlement Act, 2013 was published in the newspaper between 21.01.2026 and 23.01.2026. It is categorically stated that presently no work is in progress nor any demolition has been carried out. It is also stated that Specific Seismic Hazard Analysis, Liquefaction Assessment Study and other relevant factors are being duly accounted for in the design. It has further been stated that the aforesaid two projects have been designed to take care of the transport density of Dehradun city and for making available safe and comfortable public conveyance system. The scheme also contemplates rejuvenation of Rispana and Bindal rivers by increasing the width of the river from 8 meters to 30 meters. The DPR takes into account the Ecology Integrity, Eco River System and other aspects. It is stated that the PWD, Uttarakhand would carry out land acquisition and utility shifting and the construction work would be carried out by the National Highway Authority of India.

4. Learned State counsel contends that the respondents have already carried out all relevant studies and the project is still at very initial stages. He submits



that no construction work is in progress at present. Even acquisition proceedings is at very early stage and any person, affected by the proposed acquisition, has right to file objections, as provided under the Act, 2013. He submits that, in such circumstances, the present writ petition is premature; in case, the petitioner has any objection, he can also file the same before appropriate authority.

5. We have minutely gone through the instructions and the submissions made by learned counsel for the parties and we fully agree with the submission of the learned State counsel that the present petition is premature. The Notification under Section 19 of the Act, 2013 has yet not been issued and it is open to the land owners to file objections against the acquisition of their land, if aggrieved thereby. As the project has still not been finalized and, at various stages, objections were duly invited, therefore, at this stage, we find no good ground to examine the issue in exercise of PIL jurisdiction.

6. The petition is, accordingly, disposed of reserving right in favour of the petitioner and any other person aggrieved by the proposed projects to file



2026:UHC:950-DB

objections at appropriate stages before the Competent authority.

7. Pending application, if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 16.02.2026

Kaushal