



2026:UHC:2323-DB

**HIGH COURT OF UTTARAKHAND AT NAINITAL**

THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

**1<sup>st</sup> April, 2026**

**Writ Petition (M/B) No. 101 of 2025**

Diwan Singh Farttyal

-----Petitioner

**Versus**

State of Uttarakhand and others

---Respondents

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**Presence:-**

Mr. Nikhil Bhatt, learned counsel for the petitioner.

Mr. Puran Singh Bisht, learned Chief Standing Counsel, assisted by Mr. Gajendra Tripathi, learned Standing Counsel for the State of Uttarakhand /respondents no. 1 and 2.

Shri D.S.Patni, learned Senior Counsel, assisted by Shri Bhupendra Bisht and Ajay Bisht, learned counsel for the Nagar Palika Parishad, Nainital/respondent no.3.

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

1. The following prayers have been made in the present writ petition:

" i) Issue a writ, order or direction in the nature of certiorari for quashing condition no. 2A (xii) of the notice inviting tender dated 28.02.2025 (annexure no. 4 fo the writ petition) issued by the respondent no.3, only to the extent of prescribing specific time period of six years for acquiring experience of one year, as well as all the consequential proceedings



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including the decision declaring the respondent no. 4 as L1, pursuant to the impugned e-tender notice.

*ii) Issue a writ, order or direction in the nature of certiorari quashing the order dated 06.03.2025 passed by the respondent no. 3 dismissing the representation of the petitioner dated 03.03.2025 (Annexure No. 9 to the writ petition)."*

2. The period, for which, the tender was invited, was upto 31<sup>st</sup> March, 2026, therefore, the petition has become infructuous by efflux of time.

3. Accordingly, the same is dismissed as infructuous.

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

**(MANOJ KUMAR GUPTA, C.J.)**

**(SUBHASH UPADHYAY, J.)**

Dated:01.04.2026  
Kaushal