



2026:UHC:4143-DB

HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

26th May, 2026

WRIT PETITION (M/B) No. 410 of 2026

Vimla Gururani

-----Petitioner

Versus

State of Uttarakhand and others

-----Respondents

Presence:-

Mr. Sandeep Kothari, learned counsel for the petitioner.

Mr. Gajendra Tripathi, Mr. J.C. Pande, Mr. M.S. Bisht, learned Standing
Counsels for the State.

Mr. Shobhit Saharia and Mr. Tanmay Tiwari, learned counsel for the respondent
no.6.

And

WRIT PETITION (M/B) No.415 OF 2026

Anil Mahar

.....Petitioner

Versus

State of Uttarakhand and others

.....Respondents

Presence:-

Mr. Shobhit Saharia & Mr. Tanmay Tiwari, learned counsel for the petitioner.

Mr. Gajendra Tripathi, Mr. J.C. Pande, Mr. M.S. Bisht, learned Standing
Counsels for the State.

Mr. Sandeep Kothari, learned counsel for the respondent no.6.

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

1. The dispute in these writ petitions relate to allotment of an Indian made foreign liquor shop in Didihat, District Pithoragarh. The bid of Vimla Gururani, the petitioner in Writ Petition (M/B) No.410 of 2026 of a sum of Rs.4.84 crores was the highest, however, the



2026:UHC:4143-DB

allotment was not made in her favour on the ground that her power of attorney had withdrawn the offer. The shop was consequently allotted to L-2, whose bid was of Rs.3.84 crores, the petitioner in Writ Petition (M/B) No.415 of 2026. Thereafter, in view of the disputes raised by the petitioner-Vimla Gururani regarding authenticity of the letter of Power of Attorney, by which, it was alleged that the petitioner had withdrawn her bid, the first respondent passed an order on 15.05.2026 directing fresh process to be undertaken for allotment of the shop-in-question. Aggrieved thereby, these writ petitions have been filed.

2. On 22.05.2026, we directed the District Magistrate, Pithoragarh to carry out the fresh exercise for re-settlement of the shop and to place the offers so received before us. The exercise was directed to be undertaken under the supervision of respondent no.1.

3. In compliance of the said order, fresh exercise was undertaken and two bids have been received, one bid is by Vimla Gururani, the petitioner in Writ Petition (M/B) No.410 of 2026 and another by one Dinesh Chandra Pant. The bids now received are substantially higher than the bids received in the previous round.



4. Yesterday, we noted the aforesaid facts in our order and since the petitioner in Writ Petition (M/B) No.415 of 2026 expressed apprehension that the security amount deposited by him may not be refunded by the respondents, though fresh exercise has been undertaken by them to settle the shop, we required the State Counsel to obtain instructions in this regard.

5. On matter being taken up today, learned Standing Counsel has placed before us the instructions received from the District Excise Officer, Pithoragarh and the Excise Commissioner, Uttarakhand. According to it, steps are being taken to refund the security deposits of Anil Mahar, the petitioner in Writ Petition (M/B) No.415 of 2026. A communication in this behalf has been sent to him on 25.05.2026 and copy of the same has been produced before us along with the written instructions. Learned State Counsel also fairly states that the license fee deposited by the petitioner-Anil Mahar shall also be refunded to him.

6. Mr. Shobhit Saharia, learned counsel for the petitioner – Anil Mahar, in Writ Petition (M/B) No.415 of 2026 very fairly states that now no grievance is left.



2026:UHC:4143-DB

7. Mr. Sandeep Kothari, learned counsel for the petitioner – Vimla Gururani, in Writ Petition (M/B) No.410 of 2026 also fairly concedes that since fresh exercise has already been undertaken, and wherein his client also submitted her bid, therefore, the petitioner is not left with any grievance.

8. In view of the above, we do not propose to enter into the merits of the contentions raised in the writ petitions. However, the District Excise Officer shall ensure that the security amount and license fees of the petitioner, Anil Mahar in Writ Petition (M/B) No. 415 of 2026 is returned to him within two weeks from the date bank details of his account are provided by him. The writ petitions stand disposed of accordingly.

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

(MANOJ KUMAR GUPTA, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 26.05.2026
Kaushal/PP