



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
THE HON'BLE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA
AND

THE HON'BLE JUSTICE MR. SUBHASH UPADHYAY

Writ Petition (PIL) No.73 of 2026

4th June, 2026

Gopal Chandra Vanwassi

-----Petitioner

Versus

State of Uttarakhand and Others

----Respondents

Presence:-

Mr. Maneesh Bisht, learned counsel for the petitioner.

Mr. Amarendra Pratap Singh, learned Addl. Advocate General and
Mr. Gajendra Tripathi, learned Standing Counsel for the State of
Uttarakhand.

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

1. Heard learned counsel for the parties.
2. The present writ petition has been filed ostensibly in public interest seeking a writ of mandamus directing the respondents to remove the constructions being made by way of a link road and to restore the river bed of Gomti River to its original condition. The petitioner has also prayed for a writ of certiorari seeking quashing of the order dated 10.03.2025 by which the State Government accorded approval to the project for construction of the link road.
3. The project is being undertaken by PWD with due approval of the State Government. It would provide a motor road linking Bageshwar to Nadi Gaon through Amsarkot.



4. As per the averments made in the writ petition, the financial approval for the same project was earlier given in the year 2016-17 and, thereafter, the length of the road was increased and additional financial approval for a sum of ₹750.53 lakh was given for the said purpose.

5. It is alleged that on 10.03.2025 another revised permission for construction of the said road was granted by the State Government and the cost of the project has got increased to ₹830.58 which is almost 9-fold of the earlier estimation.

6. The case of the petitioner is that the residents of the area have raised objections to the project as it would destroy the flora and fauna of the area and also create obstruction in the flow of water of Gomti River.

7. Petitioner has also alleged that respondents are using heavy machineries for construction of the road and it is likely to prove hazardous to the residents who are residing just above the road under construction.

8. Learned State Counsel has placed on record the instructions received from the department. He submits that the present petition is not a *bonafide* one and has been filed with ulterior motives. He submits that the petitioner has filed various other writ petitions also before this Court purportedly in public interest but, according to him, the petitioner is an extortionist.



9. In support of his submission, he has placed on record an order dated 15.04.2026 passed by Sessions Judge, Bageshwar whereby his bail application arising out of FIR No.17 of 2026 under Section 308(5) BNS, 2023 had been rejected.

10. The first informant of the said case has alleged that the petitioner had demanded ₹40,000/- as extortion money and had filed audio and video recordings in support of his version.

11. Learned State Counsel though admits that, ultimately, in the said case, the petitioner succeeded in obtaining bail from High Court, but his submission is that he is misusing the PIL jurisdiction.

12. He further submits that the project is being undertaken on the demand of the local residents to provide a motorable road in the area. Before starting the project, no-objection was obtained from the local residents, beneficiaries, Ward Members/ Sabhasad and other public representatives and a copy of the same has also been enclosed along with the written instructions. He has also placed before us the representations filed by the residents of Nadi Gaon and adjoining areas requesting for construction of motorable road to provide connectivity to their village. He submits that the structural design and protection works incorporated in the project were duly



examined and vetted by the Department of Civil Engineering, IIT (BHU), Varanasi.

13. The respondents are also stated to have carried out various surveys and inspections while approving the alignment of the road and, according to them, the project was sanctioned after verifying that it would not adversely affect the natural flow of the river. He submits that the project is essential for upliftment and welfare of the public of the said area and since it is a work of public utility, therefore, on the basis of the vague assertions made by the petitioner, unsupported by report of any expert, the writ petition should not be entertained.

14. We find considerable force in the submission of learned State Counsel. The material placed before us clearly indicates that there was request by the residents of the area for providing a motorable road so that there is upliftment of education, health, agriculture and other amenities in the area.

15. It further appears that the State Government, before approving the project, carried out various studies and obtained reports of experts. As the project is of public importance, essential for developmental needs of the area, and the photographs filed along with the writ petition indicates that substantial part of the project has



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already been executed, we decline to interfere in the matter and the writ petition is, accordingly, dismissed.

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

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 04.06.2026
SS