



2026:UHC:3427-DB

**IN THE HIGH COURT OF UTTARAKHAND**  
**AT NAINITAL**

HON'BLE THE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA  
AND

HON'BLE SHRI JUSTICE SUBHASH UPADHYAY

**06<sup>TH</sup> MAY, 2026**

**WRIT PETITION (PIL) No. 160 OF 2024**

Rajendra Singh Bisht.

...Petitioner

Versus

State of Uttarakhand and others.

...Respondent

Counsel for the petitioner. : Mr. Vinodanand Barthwal, learned counsel.

Counsel for the respondents. : Mr. B.S. Parihar, learned Additional Chief Standing Counsel for the State of Uttarakhand.

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

1. The present Writ Petition has been filed in public interest for a direction to the respondents to pay a sum of Rs.4,25,000/- each, as compensation to persons, whose names have been mentioned in paragraph no. 19 of the Writ Petition. These persons are as follows :-

- (A) Anil S/o Umed Lal
- (B) Arvind Lal S/o Prem Lal
- (C) Santosh S/o Basant Lal
- (D) Virendra S/o Rajji Lal
- (E) Darsan Lal S/o Kasbi Lal
- (F) Ashish S/o Darsan Lal
- (G) Subhash S/o Darsan Lal
- (H) Vinod Kumar S/o Nand Lal

2. The case of the petitioner is that he is Ex-Pradhan of Village Sari, Tehsil Rudraprayag, District Rudraprayag. In the Village, several Scheduled Caste families are residing. Due to



a landslide on 20.02.2022, as many as 20 families got affected. The respondents have paid a sum of Rs. 4,00,000/- each, as compensation for rehabilitation to 13 families. However, they have denied compensation to 07 families, and espousing their cause, the present Writ Petition has been filed.

3. A counter affidavit has been filed on behalf of respondent no. 1, by the Joint Secretary, Disaster Management Department, Govt. of Uttarakhand, Secretariat Dehradun. It is stated therein that the decision for payment of compensation has been taken as per the provisions of new Rehabilitation Policy, 2021. Rule 26 of the 2021 Policy provides that, if in a house, in the affected area, more than one family resides and their names are entered in the Parivar Register, and simultaneously, the families hold different Ration Cards, then, in such a case, each family will be considered as a separate family, and is entitled to financial aid. It is stated that, in respect of Vinod Kumar, his name is jointly recorded, along with his father-Nand Lal, in the Family Register and, therefore, he, along with his father, constitute one family, and thus his case cannot be considered independently. In respect of Nand Lal, the stand taken is that he has a house in Village Jhalimath, and where the family is residing. Accordingly, the stand taken is that, as per Clause 29 of the Rehabilitation



Policy, 2021, which provides that, in case any family is not normally residing in the identified sensitive zone for the last five years, and have built a residence in some other place, such a family is not entitled to financial aid, financial aid has been denied to Nand Lal.

4. In respect of 06 remaining persons also, the same stand has been taken that they have their houses at other places, and they are residing with their family therein and, therefore, they are not entitled to any compensation. The decision, not to pay compensation to such persons, is based on a Joint Inspection got carried out by the respondents. In the rejoinder affidavit filed by the petitioner, there is only general denial. No explanation has been given to the reasons given by the respondents for denying compensation to these persons.

5. The compensation, admittedly, is to be distributed, as per the Rehabilitation Policy, 2021. The Rehabilitation Policy is not in issue in the present case. The persons, who are stated to be residing at other safe places in their own houses, have not come forward to challenge the action of the State, in denying compensation to them.

6. In such circumstances, we are not inclined to carry this matter any further in PIL. The proceedings are,



2026:UHC:3427-DB

accordingly, closed. However, the closure of the present proceedings will not affect the right of any individual, or any proceedings pending, in this behalf, before any forum.

7. All pending applications stand disposed of accordingly.

---

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

---

**SUBHASH UPADHYAY, J.**

Dt: 06<sup>th</sup> May, 2026  
Rahul