



HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Misc. Single No. 723 of 2024

18 March, 2026

Meera Agarwal

--Petitioner

Versus

State Of Uttarakhand and Ors.

--Respondents

Presence:-

Mr. Shantam Agarwal, authorized petitioner in-person, appeared through video conferencing.

Mr. N.S. Pundir, learned D.A.G. for the State of Uttarakhand/respondent Nos.1 and 3.

Mr. Lalit Samant, learned counsel put in appearance on behalf of respondent Nos.2 and 4.

Mr. Pankaj Chaturvedi, learned counsel for respondent No.5.

Mr. Yogesh Pacholia, learned counsel for respondent No.6.

Mr. Harshit Sanwal, learned counsel for respondent No.7.

Hon'ble Pankaj Purohit, J.

By means of the present writ petition, petitioner has sought the indulgence of this Court seeking a direction to respondents to make water connection available to her within 7 days and further to pay Rs.5,00,000/- as compensation to petitioner.

2. Petitioner runs a restaurant under the name and style of 'One and Only' in Village Toli, Tehsil and District Almora, which was constructed on the *Bhumidhari* land of the petitioner. Petitioner applied for a water connection which was denied to her on the ground that in village Toli there is a shortage of water, therefore, the commercial water connection cannot be given to the petitioner for running her restaurant.



3. Learned counsel for respondents could not show anything in the entire brief which prohibits the water connection to petitioner on account of its being commercial purposes.

4. It appears from the pleadings of the parties that respondents are bent upon not to permit water connection to the petitioner by hook and crook, and therefore, they are shifting blame from one respondent to other. Water is a basic need of a person and even if an individual has constructed a restaurant for commercial purpose, the water cannot be denied.

5. Learned State Counsel has drawn the attention of this Court on Clause 4.20.2 (Clause-vi) and he submitted that the Jal Jeevan Mission Nidhi shall not be used for a solitary house/farmhouse situated distant from the village/settlement. He further submits that water in village Toli was provided under Jal Jeevan Mission.

6. I have read the said Clause very carefully. It nowhere states that the water which is provided under the Jal Jeevan Mission be not distributed to any person in the village, rather it says that it shall not be used for a house/farm house situated solitary in distant place from village. Purpose appears to be to save the money of Jal Jeevan Mission Nidhi. Admittedly, restaurant of petitioner is situated within village, not at a distant place.

7. Learned counsel for the respondent No.7 also argued that the water under Jal Jeevan Mission cannot be supplied for the commercial purposes and he submitted that it is for the purpose of providing household tap connection in rural areas.



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8. Having read the object of Jal Jeevan Mission, this Court failed to notice anywhere from the object that the water connection be not given to the commercial purposes. Accordingly, this Court is of the view that the petitioner cannot be deprived of the water facility which is a basic need.

9. Accordingly, the present writ petition is allowed. Respondents are directed to coordinate and to process the application of petitioner for water connection within a period of 30 days from the date of production of certified copy of this order, in accordance with law.

10. Pending application(s), if any, stands disposed of.

(Pankaj Purohit, J.)

18.03.2026

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