



2026:UHC:1913-DB

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

HON'BLE THE CHIEF JUSTICE SRI MANOJ KUMAR GUPTA  
AND  
HON'BLE SRI JUSTICE SUBHASH UPADHYAY

**WRIT PETITION (S/B) NO. 145 OF 2026**

**19<sup>TH</sup> MARCH, 2026**

Ram Prakash Sundriyal ..... Petitioner

Versus

State of Uttarakhand and others ..... Respondents

Counsel for the petitioner : Mr. Arvind Kumar Sharma, learned counsel

Counsel for the respondents : Mr. Gajendra Triptahi, learned Standing Counsel with Mr. Sachin Mohan Singh Mehta, learned Brief Holder for the State / respondent Nos. 1 and 4

: Mr. Naresh Pant, learned counsel for respondent Nos. 2 and 3 through video conferencing

**The Court made the following:**

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

1) The present writ petition has been filed seeking a writ of mandamus commanding the respondent authorities to transfer respondent No. 5 Manoj Rawat, Executive Engineer, Badkot from the present place of



posting to another place on basis of the application filed by the petitioner. It is alleged that respondent No. 5 harbours animosity against the petitioner and, therefore, he should not remain posted at a place where the petitioner resides. It is also alleged that respondent No. 5 had his education at his present place of posting and for this reason also, he should be transferred to some other place.

2) Learned counsel for the petitioner during course of arguments admitted that the petitioner has earlier worked as *Pradhan* of the village.

3) On the face of it, the writ petition is not maintainable for the relief claimed, as the respondents do not owe any enforceable duty to the petitioner nor any of the right of the petitioner has been infringed. The writ petition is apparently *mala fide* as the petitioner alleges enmity with respondent No. 5 and, therefore, wants to create obstacle in the posting of respondent No. 5 at his village.

4) The petition being wholly frivolous is dismissed with a cost of Rs.25,000/- to be deposited by the petitioner with the High Court Legal Services Authority within fifteen days from today failing which the amount



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would be recovered from the petitioner in accordance with law.

5) Pending application(s), if any, also stand disposed of.

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

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**SUBHASH UPADHYAY, J.**

Dt: 19<sup>TH</sup> MARCH, 2026  
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