

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	03.05.2021		<p>WP/IL No. 57 of 2021</p> <p><u>Hon'ble Raghvendra Singh Chauhan, C.J.</u></p> <p><u>Hon'ble Alok Kumar Verma, J.</u></p> <p>Mr. Abhijay Negi, learned counsel for the petitioner.</p> <p>Mr. Anil Kumar Bisht, the learned Additional Chief Standing Counsel for the State of Uttarakhand, accepts notice for respondent no. 1.</p> <p>Mr. Rahul Consul, the learned counsel, is directed to accept notice on behalf of respondent no. 2.</p> <p>Mr. Ashish Joshi, the learned counsel, accepts notice on behalf of respondent no. 3.</p> <p>Issue notice to respondent no. 4.</p> <p>The petitioner has filed the present PIL, inter alia, on the grounds that according to Part-4.4 of 2015 Amendments made in the Uttarakhand Building Construction and Development Bylaws / Regulations, 2011, "<i>no building will be constructed at such places where the intensity of landslide is high and continuous and where the natural slope is higher than 30 degrees</i>". Despite the bar contained in law, respondent Nos. 2 and 3 are permitting people to raise constructions on foothills. Such construction is <i>per se</i> contrary</p>

to the bar contained in Part-4.4 of the 2015 Amendments.

Therefore, this Court directs the Vice-Chairman, Mussoorie Dehradun Development Authority, and the Municipal Commissioner of the Nagar Nigam, Dehradun to personally inspect the site. In case, any illegal construction is discovered, contrary to Part-4.4 of the 2015 Amendments, the same shall be sealed forthwith. They are further directed to take action against the illegal constructors / contractors, but strictly in accordance with law. They shall submit their report with regard to the inspection carried out, the number of illegal constructions discovered by them, with regard to the action taken by them against those, who are carrying out illegal constructions, and the status of the action taken by them against them.

The said report shall be submitted by them on or before 26.05.2021.

List this case on 27.05.2021.

(Alok Kumar Verma, J.) (Raghvendra Singh Chauhan, CJ)

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