

# VERDICTUM.IN

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ITEM NO.17

COURT NO.2

SECTION X

## S U P R E M E C O U R T O F I N D I A R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 22604/2023

(Arising out of impugned final judgment and order dated 26-05-2023 in WPPIL No. 72/2023 passed by the High Court Of Uttarakhand At Nainital)

GIRISH CHANDRA KHOLIYA

Petitioner(s)

VERSUS

STATE OF UTTARAKHAND & ORS.

Respondent(s)

(IA No.197658/2023-CONDONATION OF DELAY IN FILING)

Date : 06-10-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Mohit Paul, AOR  
Ms. Rangoli Seth, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Delay condoned.

We cautioned the counsel at the inception that this petition filed before the High Court can hardly be classified as a PIL and the only issue is the extension of a Chief Engineer who held the office under the authority and it is not a case of *quo warranto*. On our query, he states that the petitioner is an Advocate.

Learned counsel strongly submits that such extension ought not to be granted. This can hardly be the subject matter of a PIL.

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The only error we find in the impugned order is that it does not consider it appropriate to impose cost. We correct that error.

The Special Leave Petition is dismissed with cost of Rs.10,000/- to be deposited with the Himachal Pradesh Chief Minister's Welfare Fund within four weeks.

Pending application, if any, stands disposed of.

(ASHA SUNDRIYAL)  
ASTT. REGISTRAR-cum-PS

(POONAM VAID)  
COURT MASTER (NSH)