

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.**

**CWP No. 2232 of 2013-D**

**Decided on: 31.7.2013**

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Smt. Raksha Devi.

....Petitioner.

Versus

State of H.P. & others.

....Respondents.

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***Coram***

***The Hon'ble Mr. Justice Dev Darshan Sud, Judge.***

***The Hon'ble Mr. Justice Sanjay Karol, Judge.***

***Whether approved for reporting?***

For the petitioner : Mr. Onkar Jairath, Advocate.

For the respondents : Mr. V.S. Chauhan & Mr. B.S. Parmar,  
Additional Advocate Generals with Mr.  
Vikram Thakur, Deputy Advocate General,  
for respondents No. 1 to 4.

Mr. Naresh Kaul, Advocate, for respondent  
No.5.

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**Justice Dev Darshan Sud (Oral):**

When this petition was taken up for admission-hearing today, the only point urged before us is that the order of the Sub Divisional Officer (Civil), Jawali, in case No. 91RISDJ/on/2012, dated 12.3.2013, is non-speaking and does not consider the contention raised by the petitioner herein.

2. The learned counsel appearing for the respondents submits that the order of the Sub Divisional Officer (Civil) is a speaking order, as he has based his findings on the detailed facts. We are not accepting this contention for the reason that the powers are to be exercised by the Sub Divisional Officer (Civil) judiciously.

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<sup>1</sup> *Whether the reporters of the local papers may be allowed to see the judgment?*

The order must contain qualitative reasons. In this view of the matter, we set aside the order dated 12.3.2013 and remand the matter to the Sub Divisional Officer (Civil), Jawali to decide afresh in accordance with law within a month.

3. The parties are directed to appear before the Sub Divisional Officer, Jawali on 26<sup>th</sup> August, 2013. The writ petition is disposed of. All pending applications are also disposed of.

**(Dev Darshan Sud)**  
**Judge**

31<sup>st</sup> July, 2013  
(kck)

**(Sanjay Karol)**  
**Judge**