

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

**CWP Nos.620, 676, 682, 683, 719,  
720, 721, 757, 758, 759, 760, 761,  
767, 768, 794, 806, 807, 808, 809,  
824, 825, 826, 827, 828, 829 and  
830 of 2016**

**Date of decision: 31.03.2016**

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1. CWP No.620 of 2016  
Manohar Lal ..Petitioner  
Versus  
Union of India & others . Respondents
2. CWP No.676 of 2016  
Chandi Ram ..Petitioner  
Versus  
Union of India & others . Respondents
3. CWP No.682 of 2016  
Rania Ram ..Petitioner  
Versus  
State of H.P. & others Respondents
4. CWP No.683 of 2016  
Jahali ..Petitioner  
Versus  
State of H.P. & others . Respondents
5. CWP No.719 of 2016  
Saroj Devi ..Petitioner  
Versus  
State of H.P. & others . Respondents
6. CWP No.720 of 2016  
Ramesh Chand ..Petitioner  
Versus  
State of H.P. & others . Respondents

7. CWP No.721 of 2016  
Pritima Devi ..Petitioner  
Versus  
State of H.P. & others . Respondents

8. CWP No.757 of 2016  
Jagtu ..Petitioner  
Versus  
State of H.P. & others . Respondents

9. CWP No.758 of 2016  
Sanjay Kumar ..Petitioner  
Versus  
State of H.P. & others . Respondents

10. CWP No.759 of 2016  
Dilbag Singh ..Petitioner  
Versus  
State of H.P. & others . Respondents

11. CWP No.760 of 2016  
Sanjay Kumar ..Petitioner  
Versus  
State of H.P. & others . Respondents

12. CWP No.761 of 2016  
Kangru Ram ..Petitioner  
Versus  
State of H.P. & others . Respondents

13. CWP No.767 of 2016  
Rakesh Kumar ..Petitioner  
Versus  
State of H.P. & others . Respondents

14. CWP No.768 of 2016  
Rakesh Kumar ..Petitioner  
Versus  
State of H.P. & others . Respondents

15. CWP No.794 of 2016  
Sourav Guleria ..Petitioner  
Versus  
State of H.P. & others . Respondents

16. CWP No.806 of 2016  
Churu Ram ..Petitioner  
Versus  
State of H.P. & others . Respondents

17. CWP No.807 of 2016  
Kamlesh Kumari ..Petitioner  
Versus  
State of H.P. & others . Respondents

18. CWP No.808 of 2016  
Ravinder Kumar ..Petitioner  
Versus  
State of H.P. & others . Respondents

19. CWP No.809 of 2016  
Rajinder Singh ..Petitioner  
Versus  
State of H.P. & others . Respondents

20. CWP No.824 of 2016  
Munish Koundal ..Petitioner  
Versus  
State of H.P. & others . Respondents

21. CWP No.825 of 2016  
Shankar Dass Shastri ..Petitioner  
Versus  
State of H.P. & others . Respondents

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|--------------------------------------|-------------------------------------|---------------|
| +22.                                 | CWP No.826 of 2016<br>Vijay Kumar   | ..Petitioner  |
| Versus                               |                                     |               |
|                                      | State of H.P. & others              | . Respondents |
| 23. CWP No.827 of 2016<br>Daya Chand |                                     |               |
| ..Petitioner                         |                                     |               |
| Versus                               |                                     |               |
|                                      | State of H.P. & others              | . Respondents |
| 24.                                  | CWP No.828 of 2016<br>Manohar Lal   | ..Petitioner  |
| Versus                               |                                     |               |
|                                      | State of H.P. & others              | . Respondents |
| 25.                                  | CWP No.829 of 2016<br>Anil Kumar    | ..Petitioner  |
| Versus                               |                                     |               |
|                                      | State of H.P. & others              | . Respondents |
| 26.                                  | CWP No.830 of 2016<br>Subhash Chand | ..Petitioner  |
| Versus                               |                                     |               |
|                                      | State of H.P. & others              | . Respondents |

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***Coram:***

**The Hon'ble Mr. Justice Mansoor Ahmad Mir, Chief Justice**

**The Hon'ble Mr. Justice Sureshwar Thakur, Judge**

Whether approved for reporting?

For the petitioners: M/s Sanjay Dutt Vasudeva, Nisha Sankhyan, Bhuvnesh Sharma, Vikrant Thakur and Purshotam Chaudhary, Advocates, for the respective petitioners.

For the respondents: Mr. Arvind Sharma, Central Government Standing Counsel, for the Union of India.

Mr. Shrawan Dogra, Advocate General with Mr. Anup Rattan & Mr. Romesh Verma, Additional Advocate Generals, with Mr.

J.K. Verma, Deputy Advocate General, for the State of Himachal Pradesh.

Mr. Yashwardhan Chauhan, Advocate, for the State of Rajasthan.

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**Mansoor Ahmad Mir, Chief Justice (oral)**

Learned counsel for the parties stated at the Bar that similar matters were considered by this Court in a batch of cases, lead case of which is **CWP No.1540 of 2013**, titled **Bakshi Ram vs. Union of India**, decided on 6<sup>th</sup> November, 2013 and prayed that these writ petitions be disposed of in terms of the judgment (supra). Their statements are taken on record.

2. It is apt to reproduce relevant portion of the judgment, referred to above, at pages 25 and 26, herein:-

*“2. It is not in dispute that after the judgment rendered by the Apex Court in **Pradesh Pong Bandh Visthapti Samiti, Rajasthan & Another versus Union of India & Others**, (1996) 9 Supreme Court Cases 749, a high power committee has been constituted to look into the grievance of the petitioners and similar situate persons. This committee is still functional.*

*Accordingly, the petitioners are permitted to make representation(s) before the high power committee. The committee shall look into the grievance of the petitioners and similar situate persons within a period of six months after receipt of the representation(s). The committee shall also be guided by the judgment rendered by this Court in CWP No.492 of 2007, titled as “Ashwani Kumar V. Union of India”, decided on 29.3.2011, against which an SLP was preferred which was dismissed by Hon’ble Supreme Court on 2.1.2013. It is made clear that the limitation/delay shall not come in the way of the petitioner(s). It is also made clear that the high power committee shall decide the cases individually and pass*

*speaking/detailed order(s), strictly as per the averments made in the representation(s). It is further clarified that if the land is available in Sriganganagar (reserved area), this aspect shall also be taken into consideration. The respondent- State is also directed to issue the eligibility certificate in favour of the petitioners in CWP No. 11070 of 2011-G and 1158 of 2013 in order to enable them to present their cases before the high power committee.”*

3. It is also stated that the judgment, referred to above, was also followed by the Division Bench of this Court and upheld by the Supreme Court in a judgment rendered in **SLP(C) No.21904 of 2012**, titled **State of Rajasthan & another vs. Ashwani Kumar Sharma & others**, decided on 2nd January, 2013 and the Special Leave Petition was dismissed.

4. In the given circumstances, we deem it proper to dispose of these writ petitions in terms of the judgment made by the learned Single Judge (supra) with liberty to the writ petitioners to file representation(s) within eight weeks before the High Power Committee. The said Committee is directed to decide the same within three months thereafter.

5. Accordingly, the writ petitions are disposed of alongwith all pending applications, if any.

Copy **dasti**.

**( Mansoor Ahmad Mir )  
Chief Justice**

**March 31, 2016**  
(hemlata/vt)

**( Sureshwar Thakur )  
Judge**