IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP Nos. 2216 & 2219 to 2238 of 2016
Date of decision: 31.08.2016

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1. CWP No.2216 of 2016
Manohar Lal ..Petitioner

Versus

State of H.P. & others . Respondents

2. CWP No.2219 of 2016
Parkash Chand ..Petitioner

Versus

State of H.P. & others . Respondents

3. CWP No.2220 of 2016
Churu Ram ..Petitioner

Versus

State of H.P. & others . Respondents

4. CWP No.2221 of 2016
Kishori Lal ..Petitioner

Versus

State of H.P. & others . Respondents

5. CWP No.2222 of 2016
Parveen Kumar ..Petitioner

Versus

State of H.P. & others . Respondents

6. CWP No.2223 of 2016
Shani Kumar ..Petitioner

Versus

State of H.P. & others . Respondents

7. CWP No.2224 of 2016
Vikram Singh ..Petitioner

Versus

State of H.P. & others . Respondents

8. CWP No.2225 of 2016
Pritam Chand Sharma ..Petitioner

Versus

State of H.P. & others . Respondents

9. CWP No.2226 of 2016
Isher Singh ..Petitioner

Versus

State of H.P. & others . Respondents

10. CWP No.2227 of 2016
Ganesh Kumar ..Petitioner

Versus

State of H.P. & others . Respondents

11. CWP No.2228 of 2016
Ramesh Singh ..Petitioner

Versus

State of H.P. & others . Respondents

12. CWP No.2229 of 2016
Harbans Singh ..Petitioner

Versus

State of H.P. & others . Respondents

13. CWP No.2230 of 2016
Ashok Kumar ..Petitioner

Versus

State of H.P. & others . Respondents

14. CWP No.2231 of 2016
Babu Ram ..Petitioner

Versus

State of H.P. & others . Respondents

15. CWP No.2232 of 2016
Ramesh Singh ..Petitioner

Versus

State of H.P. & others . Respondents

16. CWP No.2233 of 2016
Kamlesh Kumar ..Petitioner

Versus

State of H.P. & others . Respondents

17. CWP No.2234 of 2016
Shakuntla Devi ..Petitioner

Versus

State of H.P. & others . Respondents

18. CWP No.2235 of 2016
Rattan Chand ..Petitioner

Versus

State of H.P. & others . Respondents

19. CWP No.2236 of 2016
Onkar Singh ..Petitioner

Versus

State of H.P. & others . Respondents

20. CWP No.2237 of 2016
Ramesh Singh ..Petitioner

Versus

State of H.P. & others . Respondents

21. CWP No.2238 of 2016
Shamsher Singh ..Petitioner

Versus

State of H.P. & others . Respondents

Coram:
The Hon'ble Mr. Justice Mansoor Ahmad Mir, Chief Justice
The Hon'ble Mr. Justice Sandeep Sharma, Judge
Whether approved for reporting?

For the petitioner(s): Mr.Sanjay Dutt Vasudeva, Advocate.

For the respondent: Mr.Anup Rattan, Mr.Romesh Verma and Mr.Varun Chandel, Additional Advocate Generals, for the State of Himachal Pradesh.

Mr.Y.W. Chauhan, Advocate, for the State of Rajasthan.

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 6th 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 Visthapit 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 CWPs 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

August 31, 2016 **(Sandeep Sharma)**
(cm/vt) **Judge**