

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.1669/2016

Date of decision : 31.05.2017

Brij Lal	...	Petitioner
<i>Versus</i>		
State of Himachal Pradesh and others	...	Respondents

Coram:

The Hon'ble Mr. Justice Sanjay Karol, Acting Chief Justice.

The Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting?¹ No.

For the Petitioner : Mr. G.R. Palsra, Advocate.

For the Respondents : Mr. Shrawan Dogra, Advocate
General with Mr. M.A. Khan,
Mr. Romesh Verma & Mr. Anup
Rattan, Addl. A.Gs. and
Mr. Kush Sharma, Dy. A.G. for State

Mr. N.K. Sood, Senior Advocate with
Mr. Aman Sood, Advocate for R-4 to
R-6.

Sanjay Karol, Acting Chief Justice (Oral)

In the response filed by respondents

No.1 and 3, it is averred as under:-

"5. That in reply to para no.5 of the
petition, it is submitted that
proceedings for acquisition of the

Whether reporters of Local Papers may be allowed to see the judgment?

...2...

above said land is in progress and after completion of same in accordance with law the compensation amount will be awarded and paid to the petitioner and other land owner and allegation leveled against the replying respondent are contrary to the facts as maintained above. The rest of the para is wrong hence denied."

2. Also, in response filed by respondents No.4 to 6, it is averred as under:-

"5. That in reply to contents of para 5 of the writ petition it is submitted that after the issuance of letter Annexure P-10, an Administrative approval was sanctioned for acquiring the land of the petitioner etc. by BBMB Chandigarh office vide letter bearing number 26375-

...3...

78/B-1692/58 dated 20/09/2012, True copy of letter attached herewith as Annexure R-A. It is further submitted that from time to time reminders from the competent office(s) of the replying respondent Board had been issued to the office of respondent no.3, which fact has also been admitted by the petitioner in the writ petition. That it is further submitted that later on the petitioner was advised to submit all relevant papers afresh complete in all respects to the office of respondent No.3 and after furnishing of entire records by the petitioner to the office of respondent no.3; afresh draft notification under section-4 of Land Acquisition Act, 1894 for acquisition of land comprised in Khasra number 316/1, 319/1, 321/1, Khas 3 measuring about 1-0-2 Bighas, situated in Mohal-Kalouhad/27, Tehsil-Sundernagar,

...4...

District Mandi (H.P.) stands issued vide letter bearing number LAO-cum- SDM/SNR/OK/2014 dated 08/09/2014 and the same stands further sent to the office of Principal Secretary (Power) to the Government of Himachal Pradesh, Shimla; for its approval etc. and till date the said draft notification is pending for approval with the office of Principal Secretary (Power) to the Government of Himachal Pradesh, Shimla and any further action for the acquisition of land in the matter has to be taken only after approval etc. of said notification, from the office of Principal Secretary (Power) to the Government of Himachal Pradesh, Shimla and the replying respondents are not at all fault, if any, in this behalf."

3. In view of the aforesaid, we dispose of the present petition with the following directions:-

...5...

- (i) The respondents shall complete the process of acquisition and take it to its logical end, in accordance with law.
- (ii) No extension shall be granted to the respondents by this Court.

Pending application(s), if any, also stand disposed of.

**(Sanjay Karol),
Acting Chief Justice.**

May 31, 2017 (K S)

**(Sandeep Sharma),
Judge.**