IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA
ON THE 31st DAY OF AUGUST, 2021,
BEFORE
HON'BLE MR. JUSTICE AJAY MOHAN GOEL.

CIVIL WRIT PETITION No. 803 of 2020.

Between:

SHRI LEELADHAR, S/O LATE SH. SALIGRAM, R/O VILLAGE, GUMMA, PARGANA BHAGET, TEHSIL, KASAULI, DISTRICT SOLAN, H.P.

...APPLICANT

(BY MR. DEVENDER K. SHARMA, ADVOCATE)

AND

1. **STATE OF HIMACHAL PRADESH, THROUGH ADDITIONAL CHIEF SECRETARY (REVENUE) TO THE GOVERNMENT OF HIMACHAL PRADESH, HIMACHAL PRADESH.**

2. **THE TEHSILDAR-CUM-ASSISTANT COLLECTOR 1st GRADE, KASAULI, DISTRICT SOLAN, HIMACHAL PRADESH.**

3. **SH. NEERAJ, S/O SH. MANOHAR LAL, R/O VILLAGE, GUMMA, PARGANA BHAGET, TEHSIL, KASAULI, DISTRICT SOLAN, HIMACHAL PRADESH.**

4. **SH. SURJEET SINGH, S/O SH. PRITHVI SINGH, R/O VILLAGE, GUMMA, PARGANA BHAGET, TEHSIL, KASAULI, DISTRICT SOLAN, HIMACHAL PRADESH.**

5. **SMT. ANJNEETA, D/O SH. PRITHVI SINGH, R/O VILLAGE, GUMMA, PARGANA BHAGET, TEHSIL KASAULI, DISTRICT SOLAN, HIMACHAL PRADESH.**

6. **THE NATIONAL HIGHWAYS AUTHORITY OF INDIA (NHI) GOVERNMENT OF INDIA, THROUGH ITS PROJECT DIRECTOR, NHAI, PIU, CHANDIGARH.**

...RESPONDENTS

(BY MR. ADARSH SHARMA, SUMESH RAJ AND MR. SANJEEV SOOD, ADDITIONAL ADVOCATE GENERALS WITH MR. J.S. GULERIA AND MR. KAMAL KANT CHANDEL, DEPUTY ADVOCATE GENERALS FOR RESPONDENTS NO.1 AND 2)

(BY MS. SHREYA CHAUHAN, ADVOCATE, FOR RESPONDENT NO.6)

WHETHER APPROVED FOR REPORTING? No

This petition coming on for orders this day, the Court passed the following:

O R D E R

By way of this petition, the petitioner has prayed for issuance of a writ of Mandamus to respondent No.2 to conclude/finalize the partition proceedings within a reasonable time.

2. Learned counsel for respondent No.6 has opposed the petition *inter-alia* on the ground that the petitioner has approached this Court without exhausting the statutory remedy available in terms of the provisions of the Land Revenue Act.

3. Learned counsel for petitioner states that in view of the reply filed by respondent No.6, the petitioner shall be satisfied in case this petition is disposed of by making an observation that now respondent No.2, may take the partition proceedings to their logical conclusion within some reasonable time.

4. Having heard learned counsel for the parties and having perused the pleadings of this case, though this court finds merit in the objection raised by the respondent No.6, yet in the interest of justice, this petition is disposed of with the directions that now, if the relevant documents do stand supplied by respondent No.6, the partition proceedings be decided as expeditiously as possible, preferably within eight weeks from today. Miscellaneous applications, if any, also stand disposed of.

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(Ajay Mohan Goel)
Judge

August 31, 2021
(vinod)