
(2020) 09 SHI CK 0017
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 1510 Of 2019

Om Parkash

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 03-09-2020

Acts Referred:

Land Revenue Act, 1954 — Section 163

Citation : (2020) 09 SHI CK 0017

Hon'ble Judges : Tarlok Singh Chauhan, J;Jyotsna Rewal Dua, J

Bench : Division Bench

Advocate : Ashok Sharma, Ranjan Sharma, Vikas Rathore, Vinod Thakur, Desh Raj Thakur, Seema Sharma, Bhupinder Thakur, Svaneel Jaswal, Naresh Sood, Aman Sood

Final Decision : Disposed Of

Judgement

Tarlok Singh Chauhan, J

1. The instant petition has been filed for the grant of following substantive reliefs:

"(i) The Respondents No.3 be ordered and directed to comply with the Order and directions issued by Sub-Divisional Officer (Civil) vide Letter Annexure P-11 in time bound manner without any further delay and have the entire encroachment made by respondent No.4 on Government Land Comprised in Khasra No. 1531 removed without any further delay;

(ii) To order and direct the Respondents No. 1 to 3 to have the illegal and unauthorized encroachment of all nature removed which Respondent No.4 has been made by Respondent No.4 on the Government land comprised in Khasra No. 1531 situated at Mohal Tarna Road, Mandi Town, District Mandi Himachal Pradesh as detailed in Demarcation Report dated 21.7.2011, Annexure P-8 (Colly);

(iii) To direct the Respondents No. 1 to 3 to complete the proceedings ordered to

be initiated under Sec. 163 of H P Land Revenue Act against Respondent No.4 in terms of Annexure P-11 within a time bound manner without any further delay in the matter."

2. In the reply filed by respondents No. 1 to 3, more particularly in para-5, it is clearly stated that proceedings under Section 163 of the Land Revenue Act, 1954 for removal of encroachment raised by respondent No.4 have already been initiated and are pending before respondent No.3.

3. Accordingly, in the peculiar facts and circumstances of the case, we deem it proper to dispose of the present petition with a direction to respondent No.3, to take the proceedings to its logical end within a period of two months from today.

4. It goes without saying that the petitioner as also respondent No.4 shall have every right to participate and put-forth their grievances before respondent No.3 in the said proceedings.

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