
(2021) 06 SHI CK 0099
In the High Court Of Himachal Pradesh
Case No : CMPMO No.87 Of 2017

Roshan Lal

APPELLANT

Vs

State Of Himachal Pradesh & Others

RESPONDENT

Date of Decision : 22-06-2021

Acts Referred:

Constitution Of India, 1950 — Article 227

Citation : (2021) 06 SHI CK 0099

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : G.D. Verma, B.C. Verma, Sumesh Raj, Dinesh Thakur, Sanjeev Sood, Divya Sood

Judgement

Ajay Mohan Goel, J

1. By way of this petition, though filed under Article 227 of the Constitution of India, the petitioner has prayed for the following reliefs:-

â??a) That the respondents may be directed to produce entire record of the case which is in their possession so that this Honâ??ble Court may be

pleased to examine the same.

b) That appropriate orders and directions may be issued to the respondents that they should prepare and maintain revenue record with respect to land

of the petitioner as fully described above in conformity with the orders of grant of nautor land as per orders passed by the Deputy Commissioner,

Mahasu, dated 26.11.1964 and subsequent orders passed by the learned Additional District Judge, Shimla, dated 7.12.1976. The respondents may be

directed to bring entries in the record of rights in conformity with the judgment and decree passed by the learned District Judge, Shimla, dated

20.4.2011, so that revenue entries are made up to date.â??

2. When this case was taken up for consideration, learned Senior Counsel, appearing for the petitioner, submits that, at this stage, the petitioner shall

be satisfied in case a direction is issued to Tehsildar, Jubbal, District Shimla, H.P. to hear the petitioner in terms of the representation (Annexure P-3)

appended with the petition, dated 11.09.2014 and thereafter, attest necessary mutations in his favour. On the request of learned counsel for the

petitioner, Tehsildar, Jubbal, District Shimla, H.P. is hereby ordered to be impleaded as respondent No.5. Registry is directed to carry out necessary

correction in the memo of parties.

3. Learned Additional Advocate General submits that in terms of the reply, which has been filed by the State, necessary mutations have already been

entered in the name of the petitioner, to which he is entitled to.

4. Be that as it may, without going into the merits of the case, this petition, as prayed for, is disposed of, with the direction that respondent No.4 i.e.

Sub-Divisional Collector, Jubbal, District Shimla, H.P., upon receipt of this order shall forthwith, direct Tehsildar, Jubbal, District Shimla, H.P., who has

been impleaded as respondent No.5, on the oral request made by learned counsel for the petitioner, to pass appropriate orders on Annexure P-3,

which is a communication addressed to respondents No.1 to 4, by treating the same as also having been addressed to respondent No.5, after hearing

the parties.

5. Necessary orders upon the said representation be passed by Tehsildar concerned after complying with the provisions of principles of natural justice

within six weeks from today. It goes without saying that aggrieved party shall have right to challenge the order of Tehsildar concerned/order of

Mutation, in accordance with law. Pending miscellaneous applications if any, also stand disposed of.

Copy dasti.