

(2018) 01 SHI CK 0041
In the High Court Of Himachal Pradesh
Case No : 241 of 2018

Shankar Dass and others

APPELLANT

Vs

State of Himachal Pradesh

RESPONDENT

Date of Decision : 22-01-2018

Acts Referred:

Citation : (2018) 01 SHI CK 0041

Hon'ble Judges : Sandeep Sharma

Bench : Single Bench

Advocate : Amar Dev Sharma, Rajat Chauhan

Judgement

1. Learned counsel representing petitioners under instructions states that the petitioners may be permitted to approach the revenue authorities for regularization of encroachment made by them in terms of policy framed by the Government and till the disposal of the same they may not be evicted pursuant to order dated 06.12.2017 (Annexure P-5). Mr. Rajat Chauhan learned Law officer has not opposed the aforesaid prayer having been made on behalf of the petitioners.

2. Accordingly, in view of the above, present petition is disposed of with the liberty reserved to the petitioners to file detailed representation to respondent No. 2, praying therein for regularization of encroachment made by them, in terms of policy, framed by the Government of Himachal Pradesh, within a period of two weeks from today. On receipt of aforesaid representation, the Deputy Commissioner shall dispose of the same within a further period of four weeks, strictly in accordance with law, more particularly, in the light of Scheme for regularization, if any, formulated by the Government of Himachal Pradesh.

3. Needless to submit here that till the time the representation, referred to here-in-above, is decided by the authority concerned, no coercive action shall be taken by the authorities for implementation of order dated 06.12.2017. However, it is made clear that in case the representation is not made within the stipulated time, as fixed by this Court, the respondents shall be at liberty to execute the order dated 06.12.2017 without any further reference to this Court.