

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**CWP No.715 of 2026****Date of Decision: 21.09.2026**

Joginder Singh

.....Petitioner

Versus

State of Himachal Pradesh & others

... Respondents

Coram:

Hon'ble Mr. Justice Sandeep Sharma, Judge.Whether approved for reporting? ¹

For the Petitioners: Ms. Seema K. Guleria, Advocate.**For the Respondents:** Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocate Generals with Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for the respondents-State.

Mr. Anirudh Sharma, Advocate, for respondent No.7.

Sandeep Sharma, Judge(oral):

Precisely, the grouse of the petitioner, as has been highlighted in the petition and further canvassed by Ms. Seema Guleria, learned counsel for the petitioner, is that private respondent No.7, Sh. Dalip Kumar @ Pintu, has encroached upon land comprised in Khasra No.477, situated within the Revenue Estate of Village Kandror, which is adjoining to land recorded as "Gair Mumkin Nala" in the jamabandi for the year 2021-22, measuring 02-07-00 biswa. It is further alleged that despite there being repeated complaints, no action

¹ Whether the reporters of the local papers may be allowed to see the judgment?

is being taken for eviction of private respondent No.7 from the government land.

2. Pursuant to the notices issued in the instant proceedings, respondents No.1 to 4 have filed reply under the signatures of Deputy Commissioner, District Bilaspur, Himachal Pradesh, wherein it has been stated that respondent No.4 i.e. the Tehsildar, Sadar, District Bilaspur, directed the Field Kanungo, Circle Deoli, Tehsil Sadar, to visit the spot in question and submit a detailed report (Annexure R-2/1) and accordingly, Field Revenue Staff demarcated the land in question in accordance with law and submitted report vide letter dated 08.05.2026 alongwith the report of Naib Tehsildar, Sadar, District Bilaspur, Himachal Pradesh(Annexure R-2/2 colly).

3. As per the report of Naib Tehsildar, Sadar, pursuant to the directions issued by Tehsildar, Sadar, demarcation under Missal No. 700345/2026 of Khasra No.997/499, area measuring 1-5-0 bigha and Khasra No.477, area measuring 2-7 bigha was conducted in the presence of the Village Revenue Officer, Local Lumbardar, former Pradhan and Up-Pradhan, Assistant Sub Inspector and Constable Rakesh Mohan. As per the report, Khasra No.477 is recorded as “ Gair Mumkin Nala” in nakal jamabandi for the year 2021-22. It has been further reported that there is encroachment on Khasra No.477/1, area measuring 0-1-0, which has been made by a local resident,

namely Mahender Singh, by raising a wall from the side of nala for the protection of his house. The wife of Mahender Singh, who was present on the spot, undertook before the inspecting team that she will demolish the said wall within a period of seven days. Report further reveals that despite there being notice, petitioner failed to come present during inspection.

4. Learned counsel representing respondent No.7 states that now it is apparent from the demarcation report that no encroachment upon government land has been made by private respondent No.7, rather same has been raised by Sh. Mahender Singh, whose wife has otherwise already undertaken to remove the wall within a period of seven days.

5. Having taken note of the fact that pursuant to the complaint made by the petitioner, steps already stand initiated for identification of encroachment, if any, on government land, coupled with the fact that the person, who has encroached upon the government land has already undertaken to remove the same, there appears to be no justification to keep the present petition alive and accordingly, same is disposed of, with a direction to the respondents to ensure that encroachment, as indicated hereinabove, if any, on the government land, if not already removed, shall be removed expeditiously, preferably within a period of seven days. Ordered

accordingly. Petitioner is always at liberty to file objections, if any, qua the demarcation report and in case during fresh demarcation, encroachment, if any, made by private respondent No.7 comes to fore, appropriate action, in accordance with law, shall also be taken against him. Pending applications, if any, also stand disposed of.

**(Sandeep Sharma),
Judge**

September 21, 2026
(shankar)