

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.1608 of 2026 a/w
CWP No.1995 of 2026
Decided on: 08.10.2026

CWP No.1608 of 2026

Rattan Lal & others ... Petitioners
Versus
State of Himachal Pradesh and others ... Respondents

CWP No.1995 of 2026

Praveen Kumar ... Petitioner
Versus
State of Himachal Pradesh and others ... Respondents

Coram
Hon’ble Mr. Justice Ajay Mohan Goel, Judge.
Hon’ble Mr. Justice Yogesh Jaswal, Judge.
Whether approved for reporting?¹

For the petitioner(s): Ms. Bhavya Sharma, Advocate, for the petitioners, in CWP No.1608 of 2026.
Ms. Soma Thakur, Advocate, for the petitioner, in CWP No.1995 of 2026.
For the respondents: Mr. Anup Rattan, Advocate General, with Mr. Ramakant Sharma, Additional Advocate General, for the respondents-State, in both the petitions.
Ms. Shrutika Chauhan, Advocate, for respondents No.3 and 4, in CWP No.1608 of 2026 and for respondents No.3 to 5, in CWP No.1995 of 2026.

Ajay Mohan Goel, Judge (Oral)

By way of these petitions, the petitioners have, *inter alia*,
prayed for the following reliefs:-

“CWP No.1608 of 2026
i) Issue a writ of certiorari quashing the impugned

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

notifications dated 05.01.2026 and 09.01.2026 (Annexure P-1 Colly.) to the extent they identify and mark the Sarahan-Nadab Khojjar-Sarahan route (Serial No.14 under RTO Nahan) for allotment to private bus operators under the "Rajiv Gandhi Swarozgar Start-Up Yojna Stage-III".

ii) Issue a writ of mandamus directing the respondents to continue operating HRTC service on Sarahan-Nadab Khojjar-Sarahan route and not to surrender or allot the said route to private operators.

iii) Issue directions to the respondents to consider the public interest, safety, route topography, passenger load, and resolutions of Gram Panchayats while taking any future decision regarding public transport routes in the area.

iv) Direct the respondents to utilize the idle HRTC buses already available and improve the quality, frequency, and safety of public transport in the affected Panchayats."

CWP No.1995 of 2026

(i) Issue a writ of certiorari for quashing/setting aside the notification dated 09.01.2026 AV (Annexure P-2) to the extent it notifies the route "ISBT Shimla- Bapdon, Bapdon- Old Bus Stand Shimla" for private stage carriage operation at the cost of the existing HRTC service.

(ii) Issue a writ of mandamus directing the respondents to continue and maintain the existing HRTC bus service on the said route.

(iii) Restrain the respondents from withdrawing or replacing the existing HRTC bus service on the said route."

2. When these cases were taken up for consideration today, the Court stood informed that similar cases stood disposed of by this Hon'ble Coordinate Bench of this Court in terms of the order passed in CWP No.1691/2026, titled Charan Singh Versus State of Himachal Pradesh and others, decided on 04.08.2026, in terms whereof, the petitioners therein were directed to file fresh representations before the Additional Chief Secretary/Principal Secretary (Transport) to the Government of Himachal Pradesh and, thereafter, the Authority concerned was directed to decide their representations after adhering to the principles of natural justice by 25.08.2026.

3. Learned Counsel for the petitioners submit that they are not averse to approaching the Authority by way of fresh representations, but the issues which they are flagging by way of these writ petitions that as the petitioners happen to be the residents of rural area where the bus facility is like a lifeline for the residents of the area, which includes students, elderly people, persons engaged in the agriculture sector and those, who have to go to town etc. for employment purposes, certain issues need a sympathetic consideration from the Government. They submit that these issues are concession which Himachal Road Transport Corporation was giving to the students, ladies as also senior citizens, frequency of buses, ensuring that there is no interruption

in the plying of the buses etc.

4. Learned Advocate General submitted that the Government is in the process of taking a Policy decision, wherein the concessions will be continued which are presently available to students, ladies, and elderly people. Learned Advocate General further submitted that the Government is alive to the issues flagged by the petitioners and due care will be taken by the Authorities concerned to ensure that the private buses are properly plied on the routes which may be given to them and further, besides providing regular and proper service to the commuters, they do not indulge in activities which are to the detriment of the public. He submitted that punitive measures in this regard are otherwise contained in the Policy.

5. Be that as it may, in terms of the order passed by the hon'ble coordinate bench in CWP No.1691/2026, titled Charan Singh Versus State of Himachal Pradesh and others (supra), we dispose of these two petitions with the direction that the petitioners shall file fresh representations to the Authority concerned, i.e. Additional Chief Secretary (Transport), within a period of two weeks from today, highlighting all the issues which have been flagged by them in these petitions and in addition thereto, they may highlight other issues also and the representations shall be decided by the Authority concerned on or before 30.11.2026, by giving an

opportunity of hearing to the respondents. The submissions, made by the learned Advocate General during the hearing of these petitions, which stand recorded by us in this order, shall be taken into consideration by the Authority concerned while passing orders on the representations. We expect that a sympathetic view will be taken by the Authority while deciding the representations on the issues which have been flagged by the petitioners herein and as may be raised by them in the representations also. Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

(Yogesh Jaswal)
Judge

October 08, 2026
(Rishi)