

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.3866 of 2024
Date of Decision: 22.09.2026

The Gagal Prime Land Looser

.....Petitioner

Versus

State of Himachal Pradesh & Ors.

.....Respondents

Coram

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting?

For the Petitioner: Mr. Jagat Pal, Advocate.

For the respondents: Mr. Rajan Kahol & Mr. Vishal Panwar,
Additional Advocates General with Mr. Ravi
Chauhan & Mr. Anish Banshtu, Deputy
Advocates General, for respondents No.1 & 2.

Mr. Virender Thakur, (Deputy Manager Legal)
company representative with Mr. Kulwant
Chauhan, Advocate, for respondent No.3.

Sandeep Sharma, J. (Oral)

By way of instant petition, petitioner has prayed for the
following main reliefs:-

*"a. That the Respondents No. 1 & 2 may very kindly be directed
to allot the work of transportation of cement and clinker to the
petitioner society being land losers and affected persons in the
interest of justice.*

*b. That the respondent No.2 may very kindly be directed to
maintain law and order in case the respondent No.3 allot the
work of allot the transportation work of cement and clinker in
favour of the petitioner society."*

2. Pursuant to notices issued in the instant proceedings, respondent No.3-ACC has filed its reply, wherein, in para 4, it has stated as under:

"That the replying respondent wants to submit here that petitioner society vide letter dated 21.02.2020 has agreed and made a commitment to reduce the transportation rates by 10% from the existing rates in case transportation work is granted to them. Therefore, in view of the commitment made by the petitioner, replying respondent have no objection but with a condition that the land and order is to be maintained by Deputy Commissioner, Bilaspur, H.P.

3. Careful perusal of aforesaid reply filed by respondent No.3 suggests that petitioner-society itself, vide letter dated 21.02.2020, has agreed to reduce transportation rates by 10% from the existing rates in the event of transportation work being allotted to it. While responding to the aforesaid proposal of the petitioner, respondent-ACC has stated that it has no objection to allot the work on the agreed rates, but with a condition that law and order is to be maintained by Deputy Commissioner, Bilaspur.

4. Mr. Rajan Kahol, learned Additional Advocate General, fairly states that otherwise it is the duty of the district administration to maintain law and order situation.

5. Consequently, in view of the above, nothing remains to be adjudicated in the instant petition and accordingly, the same is disposed of with a direction to the petitioner-society to honour its

commitment given vide letter dated 21.02.2020, wherein it has agreed to reduce transportation rates by 10% from the current rates in the event of its being awarded transportation work. Respondent No.3 is also directed to ensure that transportation work is granted to members of petitioner-society on the current rates without disturbing the quota of other societies already work with respondent No.3-company.

The petition stands disposed of in the aforesaid terms.
along with all pending applications.

(Sandeep Sharma)
Judge

September 22, 2026
(sunil)