

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.16358 of 2026

Date of Decision: 01.10.2026

Sh. Ravi Thakur

.....Petitioner

Versus

State of Himachal Pradesh & others

... Respondents

Coram:

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting? ¹

For the Petitioner: Mr. Ajay Vaidya, 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 respondent-State.

Ms. Sunita Sharma, Senior Advocate with Ms. Harshita Dogra, Advocate, for the respondent-Electricity Board.

Mr. Dhiraj Thakur, Advocate, for respondent No.6.

Sandeep Sharma, Judge (oral):

Learned counsel representing the petitioner, on instructions, states that the petitioner would be content and satisfied in case directions are issued to respondent No. 2 to decide his application dated 08-10-2024 (*Annexure P-9*), whereby he has prayed for permission to repair the roof within stipulated time.

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

2. Having regard to the nature of prayer and order proposed to be passed, this Court sees no necessity to call for reply on behalf of respondents, who are otherwise represented by Mr. Rajan Kahol, learned Additional Advocate General, Ms. Harshita Dogra and Mr. Dhiraj Thakur, Advocates, respectively.

3. Having carefully perused the averments contained in the petition, which is duly supported by affidavit as well as documents adduced on record, this Court finds that petitioner herein had constructed four-storyed building in Manali in the year 1987, but since he attempted to raise construction of 5th story in the year, 2024 without there being permission granted by Town and Country Planning Department, notice dated 05.09.2024 (*Annexure P5 colly*) came to be issued to him to explain that why unauthorized construction raised by him is not demolished. Department of Town and Country Planning, besides issuing aforesaid notice, also directed Himachal Pradesh State Electricity Board to disconnect the electricity connection. However, fact remains that till date no consequential action pursuant to afore notices have been taken.

4. Though, learned Additional Advocate General attempted to argue that action was not taken on account of pendency of civil suit pending in the competent Court of law, but learned counsel representing the petitioner apprised this Court that at no point of time

an injunction order was passed. Be that as it may, now since petitioner has applied for permission to carry out repair/renovation vide application dated 08-10-2024 (Annexure P-9) and no decision is being taken thereupon, petitioner approached this Court in the instant proceedings, seeking therein direction to respondent No.2 to consider and decide his application for repair and renovation expeditiously.

5. Consequently, having taken note of innocuous prayer made on behalf of the petitioner, this Court, without going into the merits of the case, deems it fit to dispose of the same with a direction to respondent No. 2 to ensure that application dated 08-10-2024 (Annexure P-9) is decided expeditiously, preferably within a period of four weeks. Ordered accordingly. Needless to say, authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of being heard to the petitioner and pass appropriate order, taking note of rules and regulations occupying the fields. However, till the disposal of the application, as detailed hereinabove, no coercive action, if any, shall be taken against the petitioner in terms of notice dated 05.09.2024 (Annexure P5 colly). Pending applications, if any, also stand disposed of.

**(Sandeep Sharma),
Judge**

October 01, 2026
(shankar)