

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.12210 of 2026
Date of Decision: 29.09.2026

Sham Lal

.....Petitioner

Versus

State of Himachal Pradesh & Ors.

.....Respondents

Coram

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting?

For the Petitioners: Mr. Sanjay Jaswal, Advocate.

For the respondents: Mr. Rajan Kahol & Mr. Vishal Panwar,
Additional Advocates General with Mr. Ravi
Chauhan & Mr. Anish Banshtu, Deputy
Advocates General.

Sandeep Sharma, J. (Oral)

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

"a. That a writ in the nature of mandamus may kindly be issued, thereby directing the Respondent No.1 to 5 to further proceed in the matter, in the light of the Annexure-P/4 to Annexure-P/6 and Annexure-P/8 to Annexure-P/11 and Annexure-P/13 & Annexure-P/14 and appropriate action for the violation of Section 151 of the HP Panchayati Raj Act 1994, as well as Rule 67(5) of the H.P. Panchayati Raj (Finance) Rules 2002, may kindly be taken, against the Respondents No.7 to 10, for the willful/deliberate breach of the provisions of the law.

b. That the Respondent No.9 and 10, being Govt. Servant be delt with Departmental Inquiry, in accordance with law also, except the other provision of law.

c. That the Respondent No.1 to 5 kindly be directed to recovered the amount to the tune of Rs.6,42,151/- from the Respondent No.7, received by him, by getting the work of supply of

construction material, for the development works of Panchayat Thora under Block Nurpur, District Kangra, H.P., with the connivance of Respondent No.8 to 10, in contravention of the provisions of law, alongwith interest at the rate of 18% per annum from the due date.”

2. Taking cognizance of averments contained in the petition, this Court passed following order on 21.07.2026:

“Notice at this stage confined to respondents No. 1 to 5, which is waived by Mr. L.N.Sharma, learned Additional Advocate General. Let petitioner justify seeking action on his representation, when he had himself in unambiguous and categorical manner had prayed for withdrawal of his complaint in that regard and requested for closing all proceedings initiated on the basis of his complaint Annexure P-12 (page 55 of the paper-book). List after two weeks. In the meanwhile, respondents-State to have instructions in the matter.

CMP No. 18028 of 2026

Disposed of as not pressed at this stage.

CMP No.18058 of 2026 The application is disposed of with direction to the applicant to file English translation of the documents in issue before the next date of hearing.”

3. Pursuant to order dated 21.07.2026, Mr. Anish Banshtu, learned Deputy Advocate General, has placed on record communication dated 19.08.2026, issued under signature of Deputy Commissioner, Kangra at Dharamshala (respondent No. 3), which is taken on record.

4. Careful perusal of the aforesaid communication clearly reveals that the majority of complaints made by the petitioner against

the supply of construction material by the Up-Pradhan and his brother for development works of the Gram Panchayat stand inquired. Since nothing adverse was found in the inquiry against respondent No. 7, no action was taken.

5. It appears that by way of filing the petition at hand, an attempt has been made by the petitioner to revive the complaints, which already stand inquired into and disposed of by the competent authority after due inquiry.

6. In view of the aforesaid, this Court sees no reason to entertain the present petition and accordingly, the same is disposed of with a direction to the Deputy Commissioner, Kangra at Dharamshala, to ensure that pending complaint, qua which inquiry has not been conducted till date, if any, is also taken to its logical end by affording due opportunity of being heard to the complainant as well as other stakeholders.

The writ petition stands disposed of in the aforesaid terms, along with any pending application(s).

September 29, 2026
(*sunil*)

(Sandeep Sharma),
Judge