

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.14306 of 2026

Decided on: 20th August, 2026

Laxmi Devi

.....**Petitioner**

Versus

State of H.P. and others

.....**Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Verender Kumar, Advocate vice
Mr. Ganesh Barowalia, Advocate.

For the Respondents: Mr. Anup Rattan, Advocate General
with Mr. Rajat Choudhry, Assistant
Advocate General, for respondent No.1.

Mr. Mukul Sood, Advocate, for
respondents No.2 and 3.

Jyotsna Rewal Dua, Judge

Notice confined to respondents No.1 to 3.

Mr. Rajat Choudhry, learned Assistant Advocate General
and Mr. Mukul Sood, learned counsel, appear and waive
service of notice on behalf of respondent No.1 and
respondents No.2 & 3, respectively.

2. Considering the pleadings, the submissions
made by learned counsel for the appearing parties, the

¹Whether reporters of print and electronic media may be allowed to see the order? Yes.

grievance of the petitioner, the instructions placed on record for respondents No.2 & 3 and the order being passed hereinafter, there is no necessity to issue notice to respondent No.4. Reply is also not required to be called for from the appearing respondents. Matter has accordingly been heard at this stage.

3. The grievance of the petitioner is in relation to non-compliance of the order dated 06.04.2026 passed by respondent No.2 against respondent No.4. In terms of the said order, the construction mentioned in the order had been held to be illegal with the observation that respondent No.4 had neither obtained nor submitted any revised building plan/map as per the provisions of the H.P. Municipal Corporation Act, 1994 and the Development Plan-2035 of Municipal Corporation, Dharamshala, but still had carried out unauthorized construction. Under order dated 06.04.2026, respondent No.2 directed respondent No.4 to remove the unauthorized/excess construction carried out by him at his own cost and responsibility within a period of thirty days, failing which the respondent-Municipal Corporation, Dharamshala was to take action in accordance with law to demolish the unauthorized portion of the building at the risk and cost of the said respondent.

Petitioner's grievance, as noticed earlier, is qua non-implementation of the aforesaid order.

4. Learned counsel for the respondent-Municipal Corporation, Dharamshala has placed on record office instructions dated 20.08.2026. The purport of the aforesaid office instructions is that respondent No.4 has neither complied with the order dated 06.04.2026 nor assailed the same in accordance with law by preferring statutory appeal, therefore, the Municipal Corporation is now contemplating further action for enforcement/demolition of the unauthorized construction; A final notice dated 18.07.2026 has been issued to respondent No.4, granting him one last opportunity of three weeks to comply with the order dated 06.04.2026, failing which demolition shall be carried out without any further notice. The office instructions further convey that the order dated 06.04.2026 has attained finality as no notice of any appeal or challenge thereto has been received by respondent No.2.

5. Taking note of the office instructions dated 20.08.2026, this writ petition is disposed of with direction to respondent No.2 to take appropriate steps as delineated in the aforesaid office instructions in accordance with law,

as the order dated 06.04.2026 is stated to have attained finality.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

August 20, 2026
Mukesh

Jyotsna Rewal Dua
Judge