

**IN THE HIGH COURT OF HIMACHAL PRADESH,
SHIMLA**

**COPC No. 996/2025
Decided on: 09.07.2026**

Upendar Kumar

.....Petitioner

Versus

Abhishek Jain & Anr.

.....Respondents.

.....
Coram

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?¹

For the petitioner : Ms. Bhavya Sharma, Advocate.

For the respondents : Mr. Y.P.S. Dhaulta, Additional
Advocate General.

Jyotsna Rewal Dua, J.

Following order was passed in this petition on
03.06.2025: -

Following order was passed in this matter on 20.04.2026:-

"Heard. It is not in dispute that judgment in question rendered on 27.06.2016 has attained finality. According to respondents, the land of the petitioner comprised in Khasra No.4 is required to be acquired and not Khasra No.26 that was mentioned by the petitioner in the writ petition.

It appears that the judgment does not refer to any particular parcel of land. The judgment directs the respondent to complete the acquisition process qua the land belonging to the petitioner. Learned counsel for the petitioner admits the assertion of the respondents and concedes that it is Khasra No.4 belonging to the petitioner that is required to be acquired.

In view of their being no dispute on facts between the parties and the law that land of the petitioner is now required to be acquired in lieu of decision having been rendered in petitioner's favour, let learned

Additional Advocate General to have further instructions in the matter for implementing the judgment. List on 06.05.2026.”

More than a month has gone by, however, the judgment has still not been implemented. Learned Additional Advocate General has now placed on record office instructions dated 01.06.2026 from the Executive Engineer, Sarahan, B&R Division, HPPWD Sarahan, conveying that ‘the matter has been taken up with the Government on 30.05.2026 for formal approval of the Government for acquisition of Khasra No.4. Acquisition proceedings shall be initiated afresh on receipt of approval of the Government and shall be completed as per the provisions of law’.

Final opportunity of four weeks, as prayed for, is granted to the respondents to implement the judgment in letter and spirit, failing which, the respondents shall remain present in the Court on the next date of hearing.

List on 09.07.2026.”

Pursuant to above, learned Additional Advocate General has placed on record a copy of the office instructions dated 08.07.2026 issued by the Executive Engineer, HPPWD, Division Sarahan, conveying that the Government has sanctioned the acquisition of petitioner's land comprised in Khasra No. 4 vide office letter dated 08.07.2026 issued by the Principal Secretary, Public Works Department, to the Government of Himachal Pradesh; Accordingly, the Field Office has also been directed, vide communication dated 08.07.2026, to immediately prepare the acquisition papers in respect of the subject land for issuance of a notification under Section 11 of the Land Acquisition Act, 2013. Copy of the office letter dated 08.07.2026 issued by the Principal Secretary,

Public Works Department, conveying the approval of the Government for acquisition of the subject land has also been appended along with the office instructions.

Taking note of the above documents, it is expected that the respondents shall now discharge their obligation by acquiring petitioner's land in terms of the judgment in question as expeditiously as possible. Accordingly, the present proceedings are closed at this stage. Liberty, however, is reserved to the petitioner to seek appropriate remedy for the redressal of his surviving grievances, if any, in accordance with law, at an appropriate stage, in case necessity so arises in future. Notices issued to the respondents are discharged. Pending miscellaneous application, if any, shall also stand disposed of.

Jyotsna Rewal Dua
Judge

09th July, 2026
(rohit)