

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 13645 of 2026

Decided on: 10.08.2026

Gopal Krishan and Ors.

....Petitioners.

Versus

State of H.P. and Anr.

...Respondents.

Coram

***The Hon'ble Mr. Justice Gurmeet Singh Sandhawalia,
Chief Justice.***

The Hon'ble Mr. Justice Bipin C. Negi, Judge.

Whether approved for reporting?¹

For the petitioners : Mr. Bhart Bhardwaj, Advocate.

For the respondents : Ms. Priyanka Chauhan, Deputy
Advocate General for respondent
No.1.

: Mr. C.N. Singh, Advocate, for
respondent No.2.

G.S. Sandhawalia, Chief Justice (Oral)

Challenge in the present writ petition is to the
Auction Notice dated 01.07.2026 (Annexure P-4) qua
commercial plot measuring 414.80 sqm. situated in

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

Housing Colony Sundernagar, District Mandi, H.P. The reserve price of the plot has been fixed at Rs.70,00,000/- lacs.

2. The argument which is sought to be raised is that the settlement operation in Sundernagar Mohal including Sundernagar town was to commence from 21.04.2023 and is yet to be completed as per the directions issued on 16.01.2022 by the Co-ordinate Bench in CWP No. 243 of 2020, titled as Jai Singh Vs. State of H.P. and Ors.

3. We have gone through the record and find that the petitioners are immediate neighbors of the plot in question to be auctioned. The details of their plots are given as under:-

Sr. No.	Petitioner	Khata Number	Khatoni Number	Khasra Number	Area
1	Gopal Krishan	538/457	682/603	5696/4319	1394 sqm.
2.	Ramesh Kumar	539/458	683/604	5697/4319	1394 sqm.
3.	Dila Ram	535/455	680/601	5695/4319	1435 sqm.

4. Admittedly, the plot sought to be auctioned, forms a part of another khasra number i.e. Khasra

No. 4519/4319, measuring 905 sqm. as reflected in the revenue record placed on record. There is also a construction existing over the said land, which is stated to be a house. The ownership, as such, of plot No.3 is also of respondent No.2, who has to auction the property.

5. In such circumstances, we are of the considered opinion that if the petitioners have any grievance, as such, regarding the plots regarding their possession, it is totally independent of the right of respondent No. 2 to auction the property which belongs to them. The petitioners have no *locus-standi* to question the right of the owner to sell its property merely because they are in occupation of the adjoining plot. It is apparently a case, where, by way of an indirect manner, an injunction has been sought regarding the land in question. Therefore, we do not feel that it is a fit case to exercise the one extraordinary writ jurisdiction under Article 226 of the Constitution of India. Accordingly, the present petition is dismissed.

6. Needless to say, it is always open to the petitioners to get their plots demarcated, if so advised.

7. Pending miscellaneous application(s) if any,
shall also stand deposed of.

(G.S. Sandhawalia)
Chief Justice

(Bipin C. Negi)
Judge

10th August, 2026
(sushma)