

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.16483 of 2026
Date of Decision: 21.09.2026

The Engineer-in-chief, Lok Nirman Bhawan & Anr.

.....Petitioners

Versus

Naresh Kumar & Ors.

.....Respondents

Coram

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting?

For the Petitioners: Mr. Jagat Pal, 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)*

Precisely, the case of the petitioner, as has been highlighted in the petition and further canvassed by Mr. Jagat Pal, learned counsel for the petitioner, is that though in the year 2022, petitioner, who is a 90% handicapped person belonging to a BPL family, submitted an application to the Deputy Commissioner, Mandi, praying therein for the grant/allotment of 2-00-00 Bighas of land under the Himachal Pradesh Lease Rules, 2013 under the handicapped quota, but till date, no action has been taken and as such, he is compelled to approach this Court in the instant proceedings.

2. Having regard to the nature of prayer and order proposed to be passed in the instant proceedings, 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.

3. Careful perusal of the averments contained in the petition, which is duly supported by an affidavit, as well as the documents annexed therewith, reveals that petitioner, who is 90% handicapped and belongs to a BPL family, submitted an application to the Deputy Commissioner, Mandi, for grant of 2-00-00 Bighas of land under the Himachal Pradesh Lease Rules, 2013. Vide communication dated 23.01.2023, Additional District Magistrate, Mandi, District Mandi, called upon petitioner to complete the codal formalities as per Part-II of Form-A of the Rules *ibid*. Though petitioner, after having completed all necessary codal formalities, resubmitted the application, but no action was taken. Vide communication dated 04.07.2023, Additional District Magistrate, Mandi, District Mandi, again called upon the petitioner to complete the formalities as per Part-II of Form-A of the Rules *ibid*, which he had already completed in compliance to the communication dated 23.01.2023. Ultimately, taking note of the application made by the petitioner, Additional District Magistrate, Mandi, vide communication dated 04.08.2024, apprised Sub-Divisional Officer (Civil), Divisional Forest Officer, Executive Engineer Electrical Division HPSEBL, Executive Engineer (Jal Shakti Vibhag)

and Executive Engineer, HPPWD, Mandi, District Mandi, Himachal Pradesh, that land selected by the petitioner, comprised in Khasra No. 699/2/1, measuring 2-00-00 Bigha, situate at Mohal Siyog Tehsil Sadar, District Mandi is classified as '*Jaye Safed*' and as such, No Objection Certificate may be issued in favour of the petitioner for allotment of land on lease basis for self-employment. Since needful was not done in terms of afore communication, another communication dated 25.06.2024 came to be issued under the signatures of ADM, Mandi to Sub Divisional Officer, Sadar, District Mandi, to do the needful, but fact remains that needful has not been done and as such, petitioner is compelled to approach this Court in the instant proceedings.

4. Record further reveals that vide communications dated 29.06.2024 and 26.11.2024, Sub-Divisional Officer, Sadar, District Mandi, after answering the queries raised by the Deputy Commissioner, forwarded the case to Tehsildar, Sadar, District Mandi, on 29.06.2024, but the fact remains that till date, prayer made on behalf of the petitioner has not been complied with. Since matter is already under active consideration of the competent authority, coupled with the fact that steps already stand initiated for allotment of land, this Court, without going into the merits of the case, deems it fit to dispose of the same with a direction to the Deputy Commissioner, Mandi, to ensure that the application, as detailed hereinabove, filed by

the petitioner for allotment of land under the Himachal Pradesh Lease Rules, 2013, under the handicapped quota, is processed and decided expeditiously, preferably within a period of six weeks from today. Ordered accordingly. Needless to say, the authority concerned, while doing the needful in terms of the instant order, shall afford an opportunity of hearing to the petitioner and pass appropriate orders.

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

6. List for compliance on 16.11.2026.

**(Sandeep Sharma)
Judge**

**September 21, 2026
(sunil)**