(2025:HHC:36097-DB

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

CWP No.2291 of 2013
Decided on: 28.10.2025

Ram Dayal Negi

....Petitioner

Versus

Union of India & Ors

....Respondents

Coram

Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice
Hon'ble Mr. Justice Jiya Lal Bhardwaj, Judge

Whether approved for reporting?[1]

For the Petitioner : Mr. C.D. Negi, Advocate.

For the respondents : Mr. Balram Sharma, DSGI with Mr. Rajeev Sharma, Advocate, for the respondents-UOI.

G.S. Sandhawalia, Chief Justice*(Oral)*

The issue in question as such in the present Writ Petition was to construct the defence road from RD-382.800 Raldang bridge to RD 384.650 Akpa bridge to ensure that the road does not sink in future and can be utilized for the said purpose.

2. In this petition, which is filed way back in the year 2013, the matter had been duly monitored because

---

[1] *Whether the reporters of Local Papers may be allowed to see the judgment?*

the road in question was situated in remote area of Kinnaur.

3. On 2nd May, 2019, this Court had passed the following order:-

> *"Latest status report filed in compliance to order dated 5th March, 2019, reveals that 85 meter length of toe wall covering all sliding zone has been completed. Further, 17 steps of sausage wall have also been competed near slide base. Both these measures have lent stability to the Skiba slide and no further shrinkage has been observed for past one and half year. It is further explained that the department has planned to incorporate contemporary solution (soil nailing and rock bolting) to further stabilize the slope, for which the case has been taken up for consultancy service with IIT. The work is in progress. It is further explained that one team of labourers is continuously deployed for keeping the road in the slide zone safe and traffic worthy. Some photographs of the site have also been appended to substantiate the plea. The respondents thus appear to have taken sufficient precautionary steps. They shall continue to do so and will file further status report after receipt of report of the consultancy service.*
>
> *List on 25th July, 2019."*

4. On 2.7.2025, we had noticed that status report dated 29.1.2020 has been filed and accordingly we had directed that fresh status report be filed alongwith photographs depicting the true condition of site considering over five years had passed by.

5. Counsel for Union of India has done the needful by filing the affidavit of the Officer Commanding of 68 RCC (GREF) and the details have been given, which would go on to show that necessary steps have been taken and undertaking has been given that if any issue arises in

future, the same would be redressed. Photographs have also been appended as Annexure A/1. Relevant portion of the undertaking reads as under:-

> *"(a) Crash barriers have been installed throughout the area parallel to the road on the valley side of this sinking area.*
>
> *(b) On hill side of the sinking area, breast walls have been constructed and on valley side of the sinking area, sausage walls have been constructed near slide base. Due to which its hill side has become much stronger.*
>
> *(c) In this sinking area bituminous surfacing work has been done across the entire width of road due to which riding surface of the road has improved a lot.*
>
> *(d) After construction of breast walls & sausage wall at sinking area, it has been observed that no signs of sinking area visible. As per present ground report, the sinking area of the said location is now stable.*
>
> *(e) The sinking area is currently stable and there are no signs of any imminent sinking. However, if any issues arise in the future, necessary steps will be taken immediately by this department to address the situation.*
>
> *(f) Photographs depicting the true condition of site are enclosed herewith as Annexure A-1 (colly) for the kind perusal of this Hon'ble Court*."

6. We have also gone through the photographs and are *prima facie* of the considered opinion that requisite measures have been taken, which has also been mentioned in the affidavit, as reproduced above and the contingency for future has also been kept in mind. Resultantly, we deem it fit to close these proceedings leaving it open for the petitioner to file an appropriate application at any point of time in case the situation needs redressal.

(2025:HHC:36097-DB

7. In view of the above, the present petition is disposed of. Pending miscellaneous application(s), if any, shall also stand disposed of.

(**G.S. Sandhawalia**)
Chief Justice

October 28, 2025 **(Jiya Lal Bhardwaj)**
(mamta) **Judge**