IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.19849 of 2026
Date of Decision: 5.11.2026

Tilak Raj

.....Petitioner

Versus

Union of India and Ors.

.....Respondents

Coram
Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting?

For the Petitioner: Mr. Naresh Verma, Advocate.

For the Respondents: Mr. Balram Sharma, Deputy Solicitor General of India with Mr. Rajeev Sharma, Advocate, for respondent No.1.
Mr. Rajan Kahol, Additional Advocate General and Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for the State.
Mr. Sumeet Raj Sharma, Senior Advocate with Ms. Ritu Sharma, Advocate, for respondents No. 3 to 5.

Sandeep Sharma, J. *(Oral)*

Precisely, the grouse of the petitioner as has been highlighted in the petition and further canvassed by Mr. Naresh Verma, learned counsel representing the petitioner is that without assessing damage caused to house of the petitioner on the land acquired for construction of National Highway No. 154-Pathankot-Mandi, respondents are threatening to demolish the house.

2. Careful perusal of averments contained in the petition reveals that respondent NHAI has acquired a portion of land and residential cum commercial building of the petitioner identified as structure No. 26 situate at village Singh, Mohal Singh, Hadbast No. 583, Tehsil Padhar, District Mandi, H.P. associated with Khasra No. 920/215/1 and has also paid compensation qua the same.

3. Now since on account of acquisition of half of the commercial building, remaining half is likely to be rendered useless, precise prayer of the petitioner is that before demolishing half of the structure, damage caused to remaining half portion may be assessed so that compensation qua the same is claimed by the petitioner.

4. Having regard to the nature of prayer and order proposed to be passed, this Court sees no necessity to call for reply on behalf of respondents, especially National Highways Authority of India, which otherwise pursuant to order dated 03.11.2026 has stated before this Court that petitioner may be asked to represent committee constituted by Government of Himachal Pradesh to resolve and sort out all the issues including the issue of assessing damage caused to private land, building and structure beyond right of way due to construction of four laning project of NHAI in the State of Himachal Pradesh, with further direction to the

authority to assess damage, if any, to remaining portion of petitioner on account of demolition of half portion of the building.

5. It is not in dispute rather stands admitted that Government of Himachal Pradesh with a view to resolve and sort out issues of assessing damage occurred to private land has constituted a committee vide notification dated 08.06.2020 under the chairmanship of Deputy Commissioner of District, as such, this Court without going into the merits of the case deems it fit to dispose of present petition, reserving liberty to the petitioner to file representation to the committee within a period of one week, which in turn shall be decided by the committee expeditiously preferably within a period of two weeks thereafter. Ordered accordingly.

6. Needless to say, authority concerned while doing the needful shall afford an opportunity of being heard and pass appropriate order. Till the time needful in terms of instant order is not done by the committee, commercial building of the petitioner shall not be demolished or dismantled. Committee is directed to submit its report. Pending applications, if any, stand disposed of accordingly.

List for compliance on 05.12.2026

November 5, 2026 **(Sandeep Sharma),**
(manjit) **Judge**