IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.15939 of 2026
Date of Decision: 02.11.2026

Uma Dutt @ Oma Dutt

.....Petitioner

Versus

State of Himachal Pradesh & Ors.

.....Respondents

Coram

Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting?
For the Petitioner: Mr. Devender K. Sharma, Advocate.

For the respondents: Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General with Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for the respondents-State.

Sandeep Sharma, J. *(Oral)*

By way of instant petition, petitioner has prayed for the following main reliefs:-

> *"i) Issue a writ of Mandamus or other appropriate writ or direction, directing the respondents to initiate the acquisition process and acquire the land of the Petitioner on Khewat/Min No.44/43, Khata-Khautani No.77/76, Khasra No. 589, 591, 592 situated at Revenue Muhal, Boi, Tehsil Nihri, District, Mandi, Himachal Pradesh, (utilized for the construction of Salaper-Tattapani Road) and pay compensation in accordance with law i.e. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, within a time bound manner.*
>
> *ii) Issue a writ of Mandamus or other appropriate writ or direction by directing the respondents to assess the damage*

caused to the Petitioner till date and pay the Rent & Damages to the petitioners in time bound manner.

iii) Issue a writ of Mandamus or other appropriate writ or direction by directing the respondents to pay the cost of Rs. Ten Lakhs in favour of the petitioner for indulging the petitioner into the unwarranted litigations in terms of the law laid down by the Hon'ble Apex Court in numerous judgment."

2. Respondent-State has filed reply under signature and affidavit of Superintending Engineer, First Circle, HPPWD, Mandi, wherein claim of the petitioner has been admitted. It would be apt to take note of relevant paras of the afore reply.

"4. That the contents of para are admitted to the extent that Slapper Tattapani road was constructed over the land of petitioner bearing Khewat/Min No.44/43, Khata-Khautani No.77/76, Khasra No. 589, 591, 592 situated at Revenue Muhal, Boi, Tehsil, Nihri, District, Mandi, Himachal Pradesh and the notification under section 11 of the act was accordingly issued by the respondent's department for acquiring the land of individual, whose land has been utilized by the respondent's department. in the year 2022 whereas rest of contents of this para are denied. It is denied that the petitioner land was left outs due to some regions. However the process of notification under section 11 of the act for acquiring the land of petition is due consideration and under progress.

9. That the contents of this para are admitted to be correct However, it is submitted that the acquisition proceeding of the land of petitioner is under process which will take some time. This is also communicated to the petitioner.

10. That the content of this para are admitted to extent that the case of the petitioner has been sent to Government for

appropriate action and appropriate action will be taken as and when the notification under section 11 of the Act, 2013 will be issued by the Government of Himachal Pradesh."

3. Careful perusal of the aforesaid reply filed by the respondents reveals that Slapper-Tattapani Road was constructed over the land of the petitioner and Notification under Section 11 of the Land Acquisition Act (hereinafter "Act") was also issued for acquiring the land of similarly situated persons in the year 2022.

4. Process for issuance of notification under Section 11 of the Act for acquiring the land of the petitioner is under progress. Case of the petitioner has been sent to the Government for appropriate action and appropriate action will be taken as and when the notification under Section 11 of the Act is issued.

5. Since it is not in dispute, rather stands admitted, that land of the petitioner stands utilized for construction of the road as detailed hereinabove, coupled with the fact that steps already stand initiated by the department concerned for acquisition of the land by way of issuance of notification under Section 11 of the Act, this Court sees no reason to keep the present petition alive and accordingly, the same is disposed of with a direction to the respondents to ensure that the Notification under Section 11 of the Act, if not already issued, shall be issued expeditiously, preferably within a period of four weeks, and thereafter, the entire process of acquisition shall be completed within

a period of three months and thereafter, compensation be paid to the petitioner. Pending application(s), if any, stand disposed of.

(Sandeep Sharma)
Judge

November 02, 2026
(sunil)