IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.3337 of 2026

Decided on: 25th March, 2026

Deepak Kumar Puggal and another **.....Petitioners**

Versus

Union of India and others **.....Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?[1]

For the Petitioners: Ms. Chehak Khurana Bhalla, Advocate.

For the Respondents: Mr. Balram Sharma, DSGI with Mr. Rajeev Sharma, Advocate, for respondent No.1.

Mr. Y.P.S. Dhaulta, Additional Advocate General, for respondents No.2 and 3.

Mr. Raman Ravi Verma, Advocate, for respondent No.4.

Jyotsna Rewal Dua, Judge

Notice is confined to respondents No.1 to 4. Mr. Balram Sharma, learned Deputy Solicitor General of India, Mr. Y.P.S. Dhaulta, learned Additional Advocate General and Mr. Raman Ravi Verma, learned counsel, appear and waive service of notice on behalf of the respective respondents.

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[1] **Whether reporters of print and electronic media may be allowed to see the order? Yes.**

2. This writ petition has been filed for the grant of following substantive reliefs:-

> *"(a) Please issue writ to the effect that provisions contained in State Legislation as contained in Section 118 (1) and Section 183(3) (D) of H.P. Tenancy and Land Reforms Act, 1972 as amended from time to time shall give way to the provisions as envisaged in Sections 11,18, 19 and 40 of Parliamentary Legislation Real Estate (Regulation and Development) Act 2016.*
>
> *(b) Please quash the ANNEXURE-P/6 and ANNEXURE-P/7 and ANNEXURE-P/8 to the extent the operation of recovery certificate issued under Section 40(1) ANNEXURE-P/4 (Colly.) is precluded and hindered.*
>
> *(c) To recover the total amount, declared as arrear of land revenue vide ANNEXURE-P/5 dated 14.11.2022 alongwith interest @ 9.3% per annum from the date of each payment by sale of properties as mentioned in ANNEXURE-P/2 or in alternate by any other mode.*
>
> *(d) Please issue mandate with direction to respondent no.2 and 3 to execute and comply the orders passed by the respondent no.4 ANNEXURE-P/3 and ANNEXURE-P/4 (Colly.) in terms of Section 103 of H.P. Land Revenue Act, 1954."*

3. Learned counsel for the petitioners submitted that this writ petition be treated to have been filed only for relief (d) and other prayers be treated as given up. Prayer is accepted.

4. Learned counsel for parties on both sides submit that relief (d) and the grievance of the petitioners qua this relief has already been adjudicated upon in ***Pawan Wasant Borle Vs. Union of India and others***[2]. That findings recorded in *Pawan Wasant Bolre*[2] are squarely applicable to the instant writ petition as well; That instant

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[2] CWP No.1153 of 2026, decided on 25.02.2026

writ petition be disposed of in terms of the directions issued in *Pawan Wasant Borle*[2].

5. Having regard to the above submissions, this writ petition is also disposed of in light of ***Pawan Wasant Bolre***[2] with direction to respondent No.3-the District Collector, Solan, District Solan to ensure that recovery proceedings initiated by the Competent Authority pursuant to the orders passed by RERA, recovery certificate issued by RERA and the demand order issued by respondent No.3 in this writ petition are taken to their logical conclusion expeditiously in accordance with law.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

Jyotsna Rewal Dua
Judge

March 25, 2026
Mukesh