IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.19537 of 2026
Date of Decision: 02.11.2026

Bhuri Singh

.....Petitioner

Versus

State of Himachal Pradesh & Ors.

.....Respondents

Coram

Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting?
For the Petitioner: Mr. Mohinder Verma, 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)*

Precisely, the grouse of the petitioner, as has been highlighted in the petition and further canvassed by Sh. Mohinder Verma, learned counsel for the petitioner, is that despite there being an eviction order dated 31.12.2025 passed by Assistant Collector 1st Grade, Tehsil Sadar, District Mandi, steps are not being taken to eject the encroacher/respondent No. 4. Though pursuant to the aforesaid order passed by the authority concerned, directions came to be issued to Field Kanungo, Rehardhar, Tehsil Sadar, District Mandi, to eject respondent No. 4 from the encroached land comprised in Khasra Nos. 394/1 and 394/2, measuring 0-1-1 bigha, but fact remains that more than 10 months have passed after passing of the eviction order, but till date, encroacher, i.e. respondent No. 4, has not been ejected and

as such, petitioner has approached this Court in the instant proceedings.

2. Having regard to the nature of the prayer and the order proposed to be passed, this Court sees no necessity to call for reply on behalf of respondents No. 1 to 3, who are otherwise represented by Sh. Ravi Chauhan, learned Deputy Advocate General. Since no order adverse to respondent No. 4 is proposed to be passed, as far as these proceedings are concerned, this Court sees no necessity to call for reply from respondent No. 4, who otherwise shall be provided adequate opportunity of hearing by the authority concerned before doing the needful in terms of the instant order.

3. Careful perusal of the pleadings as well as other material placed on record by the respective parties reveals that pursuant to complaint made by the petitioner, respondent No. 4 was found to be an encroacher upon Government land comprised in Khata No. 175 min, Khatauni No. 223 min, Khasra No. 394, measuring 03-17-02 Hects., and an eviction order dated 31.12.2025 was passed by Assistant Collector 1st Grade, Tehsil Sadar, District Mandi (Annexure P-19), but till date, the aforesaid order has not been complied with.

4. Though pursuant to the legal notice got issued by the petitioner through his counsel, Assistant Collector 1st Grade, Tehsil Sadar, District Mandi, vide communication dated 16.05.2026 (Annexure P-20), called upon Field Kanungo, Rehardhar, Tehsil Sadar,

District Mandi, to eject Sh. Kishan Chand, respondent No. 4, but till date, nothing has been done.

5. While passing order dated 16.05.2026, Assistant Collector 1st Grade specifically called upon Field Kanungo, Rehardhar, to submit verification of the encroachment by proper measurement in the manner prescribed under Section 22 of the H.P. Land Revenue Act, 1954, and in case encroacher had erected any building or other structure, or had grown crops or planted trees, the same was also required to be removed. More than 10 months have passed after passing of the eviction order, but till date, needful has not been done and as such, this Court, without going into the merits of the case, deems it fit to dispose of the same with a direction to Assistant Collector 1st Grade, Tehsil Sadar, District Mandi, as well as Field Kanungo, Rehardhar, Tehsil Sadar, District Mandi, to ensure that encroachment upon the Government land described hereinabove is removed pursuant to eviction order dated 31.12.2025, if the same has attained finality, expeditiously, preferably within a period of four weeks from today. Ordered accordingly. Pending application(s), if any, stand disposed of.

(Sandeep Sharma)
Judge

November 02, 2026
(sunil)