IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.19840 of 2026
Date of Decision: 3.11.2026

Anil Kumar Sharma

.....Petitioner

Versus

Municipal Corporation Shimla

.....Respondent

Coram

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

For the Petitioner: Mr. Parkash Sharma, Advocate.

For the Respondents: Mr. Amrit, Advocate vice Mr. Deepak Sharma, Advocate.

Sandeep Sharma, J. *(Oral)*

Through instant petition filed under Article 226 of the Constitution of India, very innocuous prayer has been made on behalf of the petitioner to issue direction to responden-Municipal Corporation, Shimla to decide the proceedings initiated vide MCS/119, notice dated 23.5.2019 (Annexure P-5) under Section 254(6) read with Section 258(1)(b) of the Himachal Pradesh Municipal Corporation Act, 1994 in a time bound manner.

2. While putting in appearance on behalf of the respondents, Mr. Amrit, learned counsel representing the respondents states that he is not averse to the aforesaid innocuous prayer made by the petitioner.

3. Careful perusal of pleadings and other material adduced on record reveals that notice dated 23.5.2019 under Section 254(6) read with Section 258(1)(b) of the Himachal Pradesh Municipal Corporation Act, 1994 was issued to the petitioner for his having not carried out construction in terms of sanctioned plan.

4. On account of issuance of aforesaid notice, petitioner was also restrained from using the property in question as a commercial shop. As per averments contained in the petition as well as other material adduced on record, sanction has been granted by the erstwhile Nagar Panchayat, Kasumpti in the year 2002 to use the property in question as a commercial shop.

5. Be that as it may, once Municipal Corporation is seized of the matter and has not been able to conclude the proceedings within time, this Court without going into the merits of the case deems it fit to dispose of the same with a direction to respondent-Municipal Corporation to ensure that notice as detailed above, issued on 23.5.2019 is taken to its logical end, if not already taken, expeditiously, preferably within a period of two months.

Ordered accordingly. Needless to say, authority concerned, while doing the needful, shall afford an opportunity of hearing to the petitioner and pass a speaking order. In the aforesaid terms, present petition is disposed of along with pending applications, if any.

November 03, 2026 **(Sandeep Sharma),**
(manjit) **Judge**