

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.3949 of 2024

Decided on 24th November 2025

Prem Kumar

...Petitioner

Versus

State of Himachal Pradesh and others

...Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge

¹Whether approved for reporting?

For the petitioner: Mr. Mohit Jaitak, Advocate, through V.C.

For the respondents: Mr. R.P. Singh, Deputy Advocate General,
for the respondent-State.

Mr. Vikas Rathore, Advocate, for
respondents No.5 to 8.

Ajay Mohan Goel, Judge (Oral)

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

- a. *"That a writ of mandamus may kindly be issued directing the respondents No.1 and 3 to complete the work of construction of the path, as sanctioned as per Annexure P-1.*
- b. *That a writ in nature of mandamus directing respondents No.1 to 3 to conduct and complete the enquiry, so initiated and take appropriate action against respondents No.4 to 8 or any other persons involved in the misappropriation of Government funds."*

2. When this case was listed on 22.07.2025, the following
order was passed:-

“Heard for some time. Learned counsel for the petitioner submits that the only subsisting issue now is that the path which was to be constructed in terms of Annexure P-1, has not been constructed and there is a part thereof which is still un-metalled, as is evident from Annexure P-3 appended with the rejoinder. He submits that it would be in the interest of justice in case the respondents are directed to act in-consonance with the resolution that was passed by the concerned Gram Panchayat.

Learned Additional Advocate General is directed to have instructions, as to what the Authority intends to do in the light of Annexure P-3 appended with the rejoinder, to ensure that the entire road is metalled.

As prayed for, let the needful be done within three weeks. List thereafter.”

3. Today, learned Additional Advocate General has handed over instructions from Block Development Officer, Pragpur, District Kangra, H.P., which read as under:-

“An estimate of Rs.(5.00+5.00) 10.00 Lakh (Rupees Ten Lakh) was prepared for construction of Pucca Path along with retaining wall in Harizan Basti, Ward No.5, GP Samnoli. As amount of Rs.5.00 Lakh (Rupees five lakh) was sanctioned under the head VKVNY and Rs.1.00 Lakh (Rupees One Lakh) was sanctioned under the head SDP. The total sanctioned funds Rs.6.00 Lakh (Rupees Six Lakh) have been utilized and remaining work will be executed after receipt of remaining funds.”

4. This Court is of the considered view that as certain works still remain to be carried out as is evident from the instructions received from Block Development Officer, the completion thereof cannot brook any further delay in the light of the fact that earlier

some work has already been carried out at the spot.

5. Therefore, this petition is disposed of with the direction that the Authority shall ensure that whatever budget is required to complete the work is released within a period of eight weeks from today and thereafter the work is completed within two months as from the date of the release of the fund.

(Ajay Mohan Goel)
Judge

November 24, 2025
(*Vinod*)