

Dila Ram Vs. State of H.P. and Ors

CWP No.1661 of 2017

20.03.2026 Present: Mr. Surya Chauhan, Advocate, for the petitioner.

Mr. L.N. Sharma, Additional Advocate General, for respondent No.1-State.

None for the remaining respondents.

CMP No. 4711 of 2026

Allowed and disposed of.

CWP No. 1661 of 2017

At the oral request of learned counsel for the petitioner, Deputy Commissioner, Shimla is impleadd as respondent No.5.

Notice on behalf of the newly impleaded respondent No.5 is waived by Mr. L.N. Sharma, learned Additional Advocate General.

2. Heard for some time.

3. It appears that the petitioner was owner in possession of land comprised in Khasra No.552/410/224/1, measuring 5 biswas, situated at village Pateog, Tehsil and District Shimla. The land was acquired by the H.P. Housing & Urban Development Authority for construction of colony in New Shimla. In

lieu of above, respondents granted 3 biswas of land in exchange to the petitioner in village Sargheen, comprised in Khasra No.98/1 under order dated 01.10.1991. Petitioner was put in possession of the exchanged land. He set out to raise construction over the aforesaid land and submitted his map for approval. This was rejected by the respondents, inter alia, on the ground that the construction had been carried out without approval of the respondents and further that the land in question could be used only for government offices. It seems that petitioner's appeal against the above order was rejected on 16.11.2000.

Faced with no option, petitioner applied to the respondents for exchange of his remaining 2 biswas of land in village Pateog.

4. Case file reflects that in the exceptional circumstances, the Deputy Commissioner, Shimla recommended the case of the petitioner for exchange as special case vide office letter dated 27.01.2005 (Annexure P-6). We are now in the year 2026. Neither respondents No. 1 to 4 have filed reply nor any

instructions have forth come.

Let learned Additional Advocate General to have instructions with respect to Annexure P-6 dated 27.01.2005 from the Deputy Commissioner Shimla/Competent Authority with respect to exchange of land for the petitioner and for redressing his grievances meaningfully within six weeks.

List on **23.04.2026.**

Jyotsna Rewal Dua
Judge

March 20, 2026
(*R.Atal*)