



Pushpa Nand Versus State of Himachal Pradesh and others

Execution Petition No.563 of 2024

[Item S-1]

08.09.2025

Present: Mr. Anshul Jairath, Advocate, for the petitioner.

Mr. Anup Rattan, Advocate General with Mr. Gobind Korla, Additional Advocate General, for the respondents-State.

Mr. Suresh Kumar Negi, Naib-Tehsildar, Rampur, District Shimla, Himachal Pradesh, present in person.

Affidavit of Naib-Tehsildar, Rampur, has been filed by the Counsel for the State, which starts with “un-conditional and un-qualified apology” in implementation of order of this Court.

2. A perusal of the *zimni* orders would go on show that time and again, Officials of the State have been given opportunity to remain present since 08.04.2025; and to comply with the issue of the encroachers, but no effective compliance has been done. Even on 08.08.2025, an additional time was given to complete the proceedings and to comply with the orders passed by this Court and the matter was adjourned to 01.09.2025.

3. The affidavit would go on to show that orders were passed thereafter on 14.08.2025 and the warrant of ejectment was issued and fixed for compliance on 30.11.2025.



4. Apparently, thereafter on 01.09.2025, an order was passed by this Court that Tehsildar would be liable to be punished for his wilful and intentional defiance of the order.

5. It is, in these circumstances, the date has now been preponed, vide Corrigendum dated 04.09.2025 [*Annexure R-III*], which would only go on to show that the said Officer is taking the Court proceedings for granted.

6. Resultantly, we direct the Naib-Tehsildar, Rampur, to surrender his vehicle, in which he has come, which is stated to be a Scorpio vehicle [Mahindra] before the Registrar General of this Court alongwith its keys and we accordingly attach the same.

7. As and when the compliance of the order is done, an appropriate application may be filed for releasing the said vehicle.

8. At this stage, counsel appearing for the parties have suggested that there are chances of amicable settlement *inter se* the parties. We do not comment upon the same and it is open to the Officials, as such, to redress the grievances raised in the petition amicably, if possible and if a path can be provided to the petitioner by causing minimum



2025:HHC:2287

damage to the constructed houses, keeping in view the inclement weather.

9. The vehicle in question is stated to be attached with the Naib-Tehsildar under Disaster Management Act.

10. Resultantly, let the vehicle, in question, be placed at the disposal of the Secretary, District Legal Services Authority [DLSA], Mandi, for distributing the relief as per the Chief Justice Disaster Relief Fund, 2025, till further orders.

(G.S. Sandhawalia)
Chief Justice

(Ranjan Sharma)
Judge

September 08, 2025
(Bhardwaj/Shivender)