

Asha Devi versus State of H.P and others

CWP No.5055 of 2026

10.04.2026

Present: Mr. Gaurav Sharma, Advocate, for the petitioner.

Mr. Y.P.S. Dhaulta, Additional Advocate General, for respondents No.1 & 3.

Mr. Janak Raj, Central Government Standing Counsel for respondent No.2.

Notice. Mr. Y.P.S.Dhaulta, learned Additional Advocate General and Mr. Janak Raj, learned Central Government Standing Counsel, appear and waive service of notice on behalf of respondents No. 1 & 3 and respondent No.2, respectively.

2. Petitioner has highlighted a pathetic state of affairs where her case preferred under Section 28(A) of the Land Acquisition Act, 1894 instituted in the year 2018 is still pending adjudication before respondent No.3 i.e. Tehsildar-cum- Land Acquisition Officer, Railway, Una, District Una, H.P. In fact, petitioner has placed on record list of 431 cases pending adjudication before the said authority under Section 28(A) of Land Acquisition Act. The oldest case in the aforesaid list dates back to the year 2009. The cases pertain to years 2009, 2010, 2011, 2012, 2013, 2014, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024 and 2025.

3. Documents appended alongwith writ petition reflect

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that respondent No.3 on 16.11.2024 had requested respondent No.1 to confer him with powers of Collector under the Land Acquisition Act in order to decide the pending cases (approximately 500) under Section 28 (A) of the Land Acquisition Act. This request was again made on 07.05.2025. Learned counsel for the petitioner apprised that for want of conferment of power of Collector, respondent No.3 is not in a position to decide the pending cases.

4. Not taking any steps for years together, in the case almost two decades, for conferring the power of Collector upon respondent No.3 consequently keeping the docket of cases under Section 28(A) of the Land Acquisition Act pending & ever growing since 2009, cannot be countenanced. Respondents through learned Additional Advocate General are directed to take immediate required remedial steps so that pending cases can be expeditiously decided. Report in this regard be furnished by the next date. Name of Mr. Janak Raj, Central Government Standing Counsel for respondent No.2 be reflected in the cause list.

List on 04.05.2026.

Jyotsna Rewal Dua
Judge

April 10, 2026
(yogesh)