

**Liaq Ram & Ors. vs. State of H.P. & Anr.**

**RSA No. 505 of 2017**

**28.03.2025** Present: Mr. Ashok Sood, Sr. Advocate with Mr. Abhishek Sood, Advocate, for the appellants.

Mr. Navlesh Verma, Addl. A.G. with Mr. Raj Negi and Mr. Mandeep Thakur, Dy. A.Gs., for the respondents-State.

Heard. The learned first Appellate Court has allowed the appeal of the State only on the ground that the suit filed by the plaintiffs seeking recovery on account of damages caused to their land and fruit bearing trees, was not filed within the period of limitation.

Apart from perusing the other documents, I have come across Ext. P-17, which is a document dated 18.04.2000, and reads as under:-

“No. THG/JD/W-2/2000-111-12 Dated:- 18.04.2000  
To  
The Horticulture Dev. Officer,  
Theog, Distt. Shimla (HP) Theog.

Subject: Damage case of Sh. Laiq Ram s/o Sh. Balak Ram, Vill. Nahgul, P.O. Dreach, The. Theog & Dstt. Shimla, H.P.

The damage case file of Sh. Laiq Ram s/o Sh. Balak Ram, R/o Vill. Nahoul, the. Theog, Distt. Shimla, H.P. containing 1 to 6 Pages is sent herewith for submit the assessment of plants.

After doing the needful, the damage case may please be returned to this office duly counter sign the assessment report by D.H.O. concerned so that the further action into the matter could be taken.

Encl: As above

sd/-  
Assistant Engineer,  
Theog, Sub Division,  
HPPWD, Theog.

Copy to the Executive Engineer, Theog Division, HPPWD, Theog for his kind information please.

Assistant Engineer,  
Theog, Sub Division,  
HPPWD, Theog.”

It would be noticed that a perusal of this document goes to indicate that the respondents not only acknowledged the damage caused to the plants, but even forwarded the damage case file to the Horticulture Development Officer, Theog, with a request to assess the damages.

Meaning thereby, the defendants/respondents *prima facie* have acknowledged that there had been a damage to the land and plants of the plaintiffs vide letter dated 18.04.2000.

Confronted with this, learned Deputy Advocate General prays for and is granted four weeks' time to obtain instructions.

List on 25.04.2025.

**(Tarlok Singh Chauhan)**  
**Judge**

**28<sup>th</sup> March, 2025**  
(sanjeev)