

Court on its own motion Vs. State of H.P. and others.
CWPIL No.35 of 2021

Item No. (D-6)
22.08.2025

Present: Court on its own motion.

Ms. Priyanka Chauhan, Deputy Advocate General, for respondents No.1 to 3 and 5/State.

Ms. Shreya Chauhan, Advocate, for respondent No.4.

Mr. Gaurav Thakur, Advocate, for Mr. Rajesh Parmar, Advocate, for respondent No.6.

As per office report, proper affidavit has not been filed by respondent No.6.

2. From the perusal of the minutes of the meeting held on 02.07.2025 amongst senior officers of the NHAI and National Law University, it is apparent that for the matter regarding the damage caused to the hostel during the collapse of the Highway on 13.09.2021, the responsibility as such is being shifted and it is not disputed that the hostel, which was partly constructed has come under the debris from the highway and has now been buried under the debris and has become unsafe for use.

3. The proceedings would further go on to show that the National Highway's stand is that there is no NHAI policy/guidelines or provisions for compensation of structure, where land is outside the jurisdiction of the NHAI. As per the case of the NHAI, since the land was sliding beyond the right of way, therefore, they had no authority to raise any retaining wall.

4. We have been apprised that the notification dated 08.06.2020 has already been issued by the State Government, whereby land/buildings which are affected beyond the right of way, the land-owners are also entitled for compensation on that count and the Committee is to be headed by the Deputy Commissioner.

5. In such circumstances, we are of the considered opinion that the Deputy Commissioner, Shimla should look into the issue and assess the compensation to be paid to the National Law University, for the damage caused to the Hostel Building.

6. Accordingly, State Government shall take effective steps to convene the meeting and assess the damages caused and the amount, if any, can also be paid under the Disaster Management Fund of the State for which the State shall also take active measures.

7. List on **19.09.2025**.

(G.S. Sandhawalia)
Chief Justice

(Satyen Vaidya)
Judge

22nd August, 2025
(munish thakur)