

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 8806 of 2026

Decided on: 05.06.2026

Uploaded on: 05.06.2026.

V Sagar Guest House ... Petitioner

Versus

Union of India and others ... Respondent

Coram

Hon’ble Mr. Justice Ajay Mohan Goel, Judge

Hon’ble Mr. Justice Bipin C. Negi, Judge

Whether approved for reporting?¹

For the petitioner : Mr. Vivek Thakur, Advocate.

For the respondent : Mr. Balram Shrma, Deputy Solicitor General of India with Mr. Rajeev Sharma, Advocate, for respondents No. 1 and 2.

: Mr. Varun Chandel, Additional Advocate General for respondents No. 3 and 4.

Ajay Mohan Goel, Judge (Oral)

Learned Counsel for the parties are *ad idem* that this petition is squarely covered by the decision rendered by this Court in LPA No.169 of 2025, titled as Union of India and another vs. Atul Sharma and others and other connected matters, decided on 16.07.2025. The relevant paragraphs of this judgment read as under:-

"10. Learned Single Judge found that the appellant-Union of India could not in the first set of cases, deny the fact that the

¹ Whether reporters of the local papers may be allowed to see the judgment?

applications had been forwarded during currency of the Scheme and therefore, consideration had not been done. In such circumstances, he came to the conclusion that at least the consideration had to be made as per the terms of the policy dated 23.04.2018 (Annexure P-1). Thus, we cannot find any fault as such with the reasoning of the learned Single Judge to this extent.

11. Counsel for Union of India also admits that since each and every individual case will have to be considered within the parameters of the said policy, it would be appropriate that a decision making is done by the Empowered Committee by fixing a timeframe as such. We are also of the considered opinion that the findings as such that the consideration was to be done by the Empowered Committee, thus cannot be faulted in any manner, once it is the case of the State also that they had forwarded their cases to the Empowered Committee. If that is so, then the decision making as such had to be done as per the parameters of the notification and as noticed above, has now been done in one case though, the rejection is here.

12. In such circumstances, we are of the considered opinion that present LPAs are liable to be disposed of in the above terms along with writ petitions that each and every individual case has to be considered afresh by the Empowered Committee. Let the said exercise be done within a period of

four months from today. Needless to say that it will be open to the applicants, as such, to seek their remedy in accordance with law in case there is rejection of their case.

13. All pending applications stand disposed of accordingly.

14. A copy of the short order be placed in all the connected matters.”

2. Keeping in view the above, we dispose of the present petition in the same terms by quashing the impugned orders. Pending application(s), if any, shall also stand disposed of.

(Ajay Mohan Goel)
Judge

(Bipin C. Negi)
Judge

June 05, 2026
(narender)