

Suresh Kumar Sharma Vs. State of H.P. Anr.

CWP No. 1573/2020

18.03.2024. Present: Mr. Mehar Chand Jamwal, Advocate, for the petitioner.

Mr. Rakesh Dhaulta, Mr. Sushant Keprate, Mr. Gobind Korla, Mr. Dalip Sharma, Additional Advocates General with Mr. Arsh Rattan and Ms. Priyanka Chauhan, Deputy Advocates General, for the respondents.

Heard both the learned counsel.

2. Demarcation report perused. Demarcation report indicates that 36 square meters in Khasra no.148/1/1 falls within the HFL limit while 55 square meters in Khasra no.148/1/2 falls beyond the HFL limit. It also indicates that Khasra no.145 falls beyond the HFL limit.

3. Since the petitioner has purchased 160 square meters in both khasra numbers, and since he has agreed to surrender the 36 square meters falling within the HFL limit in Khasra no.148/1/1, he shall file a fresh affidavit agreeing to surrender the said 36 square meters in Khasra no.148/1/1 and also file a revised plan for making construction in the balance 124 square meters by the next date of hearing.

4. Learned counsel on both sides shall place before us the order passed by the Supreme Court recently regarding the Shimla Development Plan and observations made regarding NGT's order therein.

List on 6th May 2024.

(M.S. Ramachandra Rao)
Chief Justice

(Jyotsna Rewal Dua)
Judge

18th March, 2024_(rohit)