

**IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA****CWP No.12102 of 2025****Decided on: 02.04.2026**

Anant Ram Negi

...Petitioner

Versus

State of Himachal Pradesh & Ors.

...Respondents

Coram

Ms. Justice Jyotsna Rewal Dua

¹ *Whether approved for reporting?*

For the petitioner:

Mr. Y.P. Sood and Mr. Praveen Chauhan, Advocates.

For the respondents:

Ms. Seema Sharma, Deputy Advocate General, for respondents No. 1 and 2.

Mr. Digvijay Kumar, Advocate, for respondent No.3.

Mr. Arsh Chauhan, Advocate, for respondent No.4.

Jyotsna Rewal Dua, Judge

Petitioner feels aggrieved against order dated 08.05.2025 passed by the Deputy Commissioner, Shimla, dismissing the Revision Petition preferred by the petitioner being time barred.

¹ *Whether reporters of Local Papers may be allowed to see the judgment? Yes*



2. Petitioner instituted Case No. 8A/2019 before the Collector Sub Division Kotkhai, District Shimla. The case was apparently decided on 07.06.2023, however, zimni orders placed on record by the petitioner at Annexure P-6 (colly), make it evident that proceedings in Case No. 8A/2019 were continued by the Sub Divisional Collector even after 07.06.2023. The case was listed on 17.07.2023, 21.08.2023, 04.09.2023, 03.10.2023, 06.11.2023, 29.11.2023, 19.12.2023, 30.01.2024, 28.02.2024, 26.03.2024, 18.06.2024, 29.07.2024, 20.08.2024, 20.09.2024, 14.10.2024 and 07.10.2024. Many of these hearings were attended by the petitioner, who was the complainant in the aforesaid case. The case apparently was kept alive by the Sub Divisional Collector even after deciding it on 07.06.2023. It was on 12.11.2024 that realization struck the Competent Officer of there being no necessity to continue the proceedings in the case, the same having already been decided on 07.06.2023.

3. Subsequently, petitioner preferred Revision Petition No.7/2025 under Section 148 of the Himachal Pradesh Panchayati Raj Act, 1994 against the order dated



07.06.2023. The said Revision Petition was dismissed by the Deputy Commissioner, Shimla on 08.05.2025 holding it to be barred by limitation having been filed after the expiry of limitation period against the order dated 07.06.2023. Petitioner's grievance, as projected by his learned counsel is that petitioner was not given opportunity to explain the reasons for condoning the delay as occurred in filing the Revision Petition. The order was in violation of principles of natural justice.

4. I have heard learned counsel on both sides. I find force in the submissions made for the petitioner. The impugned order does not reflect any hearing having been given to the petitioner before dismissing the petition on the ground of being barred by limitation. There is certainly infraction of principles of natural justice. For that reason alone, the impugned order dated 08.05.2025 passed by the Deputy Commissioner, Shimla in Revision Petition No. 7/2025 is set aside. The Deputy Commissioner Shimla is directed to hear the matter afresh in accordance with law after giving opportunity of hearing to the parties. Parties through their learned counsel are directed to appear before



the Deputy Commissioner Shimla, on **29.04.2026**. Office of learned Advocate General to apprise about passing of this order to the Deputy Commissioner.

4. The present writ petition to stand disposed of in the above terms.

Pending miscellaneous application(s), if any, also to stand disposed of.

Jyotsna Rewal Dua
Judge

April 2, 2026
R.Atal