

Item No.D-29

Abhaya Kashyap vs. State of Himachal Pradesh and others

LPA No.782 of 2025

23.02.2026 Present: Mr. Ashwani K. Sharma, Advocate, for the appellant.

Mr. Anup Rattan, Advocate General with Mr. Pranay Pratap Singh, Additional Advocate General, for respondents No.1 to 4/State.

Inter alia, contends that the official respondents, as such, in sum and substance, had agreed vide communication dated 28.06.2024 (Annexure R-4) to transfer the lease rights of Plot No.82 and 83 to the appellant, subject to the differential costs, as per Rule 6.11(a) Sub Clause 3(i) pertaining to the Grant of Incentives, Concessions and Facilities for Investment Promotion in Himachal Pradesh, 2019. It is further contended that as per reply filed by the respondents, on account of some dispute, as such, respondent No.2-the official respondent is also not processing the case. It is further contended that service upon respondent No.5 was not completed and no response was filed on his behalf. The matter was decided without calling upon his reply. A reference has also been made to an order passed by the Civil Court under Order 39 Rules 1 and 2 of the Civil Procedure Code *inter se* the present appellant and respondent No.5. It is also contended that around Rs.50,00,000/- had been spent on the renovation of the factory and the deal was made to sell/lease out the property through various agreements. It is thus submitted that balance of convenience, as such, is in favour of the present appellant.

Issue notice to the respondents. Mr. Pranay Pratap Singh, learned Additional Advocate General, appears and accepts notice on behalf of respondents No.1 to 4.

To come up for the service of respondent No.5, on **18.04.2026**, on taking steps within one week.

(G.S. Sandhawalia)
Chief Justice

(Bipin C. Negi)
Judge

February 23, 2026 (KS)