

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CMPMO No.652 of 2023

Decided on: 26.11.2025

|                                     |                 |
|-------------------------------------|-----------------|
| Rajinder Kumar                      | ... Petitioner  |
| <b>Versus</b>                       |                 |
| State of Himachal Pradesh & another | ... Respondents |

**Coram**

**Hon’ble Mr. Justice Ajay Mohan Goel, Judge.**

**Whether approved for reporting?<sup>1</sup>**

|                     |   |                                                     |
|---------------------|---|-----------------------------------------------------|
| For the petitioner  | : | Mr. Sanjeev Kumar Suri, Advocate.                   |
| For the respondents | : | Mr. Pushpinder Jaswal, Additional Advocate General. |

**Ajay Mohan Goel, Judge** (Oral)

By way of this petition, the petitioner has, *inter alia*, prayed for the following relief:-

- “1. That order dated 31-05-2023 (Annexure P-2) passed by Ld. Divisional Commissioner, Kangra, in Case No.575/202, upholding the order dated 21-09-2021 (Annexure P-1) passed by Ld. Collector Cum Divisional Forest Officer, Palampur, District Kangra, may kindly be quashed and set aside.
2. In light of the fact that the petitioner has been held to be encroacher upon the Government land and learned Counsel for the petitioner could not demonstrate that the findings returned to this effect by the Authorities are perverse and are not borne out from the record of the case, this Court sees no reason to interfere with the

<sup>1</sup> Whether reporters of the local papers may be allowed to see the judgment?

impugned order.

3. At this stage, learned Counsel for the petitioner prays for six months time to vacate the land in issue. He undertakes to vacate the same by 31.03.2026.

4. At this stage, learned Counsel for the petitioner submits that it be observed that the adjudication of this petition shall not come in the way of the petitioner if he otherwise intends to approach the Authority under the provisions of the Himachal Pradesh Village Common Lands Vesting and Utilization Act, 1974. It is observed that the adjudication of this petition shall not come in the petitioner to file any such application, but if no order is passed in favour of the petitioner by the Authorities, then the land will have to be vacated by the petitioner on or before 31.03.2026, failing which the same shall be construed to be a willful disobedience of the indulgence which has been shown by the Court to the petitioner in terms of this order.

5. The petition stands disposed of. Interim order, if any, stands vacated. Pending miscellaneous application(s), if any also stand disposed of accordingly.

**(Ajay Mohan Goel)**  
**Judge**

November 26, 2025  
(Rishi)