

Shakuntla Sharma vs. State of H.P and
others

Ex. Petition No.37 of 2025

09.01.2025

Present: Mr. Hamender Singh Chandel, Advocate for the
petitioner.

Ms. Sharmila Patial, Addl. A.G with Mr.
Sushant Keprate, Addl. A.G and Mr. Raj Negi,
Dy. A.G. for respondents No.1 to 4.

Heard. It was at the behest of certain senior
residents of Chamunda Nagar that the Court took *suo*
motu cognizance of there being non-availability of
ambulance road from Bhuti Chowk to the house of one
Om Sagar Rai and directed the Deputy Commissioner to
take up the matter regarding the availability of the funds
with the Secretary (Urban Development) to the
Government of Himachal Pradesh so that the
construction of the ambulance road could be commenced
at the earliest.

It was further directed that if there would be
any dispute with regard to land, then, the Deputy
Commissioner would make all possible efforts to identify
the Government land, which could be used for the
construction of ambulance road.

It is further not in dispute that in compliance
to the directions passed by this Court, the State had
sanctioned and released Rs.80,00,000/-(Rupees eighty
lac) to the PWD, but the construction work had not been
started, constraining the petitioner to approach this
Court by way of COPC No.59 of 2023.

After taking cognizance, the Court passed various orders from time to time and continued to monitor the construction of the ambulance road and eventually vide order 15th July, 2024, closed the contempt proceedings, reserving liberty to the petitioner to seek appropriate remedy for redressal of her surviving grievances, constraining the petitioner to file the instant execution petition.

It is submitted by learned counsel for the petitioner that even though concerned Superintending Engineer had filed compliance affidavit, in the contempt proceedings that there is no chance of improvement in the gradient of the road. But, nonetheless, the gradation could be improved near the shop of one Mr. Sodhi so as to ensure that ambulance reaches the last point of the road, or else, the ambulance road would serve no purpose despite investment of such huge amount.

In the given facts and circumstances of the case, we deem it appropriate to direct the PWD authorities to look into the matter and explore the feasibility of widening and leveling the ambulance road near the shop of Mr. Sodhi and improve the gradation so as to ensure that ambulance road reaches the last point.

The Secretary, DLSA, Kullu is directed to visit the spot along-with concerned Superintending Engineer and the Executive Officer, Municipal Council, Kullu and

explore the possibility and make suggestions so as to ensure that the road that has been constructed from Bhuti Chowk to the house of Om Sagar Rai can conveniently reach the last point.

The respondents may also consider the desirability and possibility of constructing a pedestrian path and adequate provision for drainage along side the road.

The Deputy Commissioner, Kullu shall ensure that there is no idle parking on the ambulance road, which itself defeats the purpose of making an ambulance road.

List on 20th March, 2025.

A copy of this order be sent to the Secretary, DSLA, Kullu through e-mail and fax for compliance.

(Tarlok Singh Chauhan)
Judge

January 09, 2025
(naveen)

(Rakesh Kainthla)
Judge