

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.**CWP No. 16197 of 2025****Date of decision: 15.10.2025**

Tara Solar Energy	...Petitioner
Versus	
Union of India & Ors.	...Respondents

*Coram****The Hon'ble Mr. Justice G. S. Sandhawalia, Chief Justice.******The Hon'ble Mr. Justice Jiya Lal Bhardwaj, Judge.****Whether approved for reporting?***For the Petitioner:** Mr. Sanjeev Sood and Mr. Vivek Thakur, Advocates.**For the Respondents:** Mr. Bharat Bhushan, Senior Panel Counsel, for respondents No. 1 & 2.

Mr. Sidharth Jalta, Deputy, Advocate General, for respondent No. 3 & 4.

G. S. Sandhawalia, Chief Justice (Oral)

Notice. Mr. Bharat Bhushan, learned Senior Panel Counsel and Mr. Rakesh Dhaulta, learned Additional Advocate General, accept notice on behalf of respondents No.1 & 2 and respondents No.3 & 4, respectively.

2. Counsels agreed that the judgment passed on 16th July, 2025 in LPA No.169 of 2025 titled ***Union of India and another Vs. Atul Sharma and others*** covers the issue in question. The relevant portion reads as under:-

"10. Learned Single Judge found that the appellant-Union of India could not in the first set of cases, deny the fact that the applications had been forwarded during currency of the Scheme and therefore, consideration had not been

done. In such circumstances, he came to the conclusion that at least the consideration had to be made as per the terms of the policy dated 23.04.2018 (Annexure P-1). Thus, we cannot find any fault as such with the reasoning of the learned Single Judge to this extent.

11. Counsel for Union of India also admits that since each and every individual case will have to be considered within the parameters of the said policy, it would be appropriate that a decision making is done by the Empowered Committee by fixing a time frame as such. We are also of the considered opinion that the findings as such that the consideration was to be done by the Empowered Committee, thus cannot be faulted in any manner, once it is the case of the State also that they had forwarded their cases to the Empowered Committee. If that is so, then the decision making as such had to be done as per the parameters of the notification and as noticed above, has now been done in one case though, the rejection is here.

12. In such circumstances, we are of the considered opinion that present LPAs are liable to be disposed of in the above terms along with writ petitions that each and every individual case has to be considered afresh by the Empowered Committee. Let the said exercise be done within a period of four months from today. Needless to say that it will be open to the applicants, as such, to seek their remedy in accordance with law in case there is rejection of their case."

3. Accordingly, the Writ petition stands disposed of in the same terms.

4. All pending applications stand disposed of accordingly.

(G. S. Sandhawalia)
Chief Justice

15th October, 2025
(sanjeev/munish thakur)

(Jiya Lal Bhardwaj)
Judge