

**IN THE HIGH COURT OF HIMACHAL PRADESH AT
SHIMLA**

**CWP No. 50 of 2025
Decided on 09th July 2025**

Dinesh and other

...Petitioners

Versus

Union of India and others

...Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge

¹Whether approved for reporting?

For the petitioners: Mr. Vinod Chauhan, Advocate.

**For the respondents: Mr. V.B. Verma, Advocate, for
respondent No.1.**

**Mr. Anup Rattan, Advocate General,
with Mr. Sumit Sharma, Deputy
Advocate General, for respondent
No.3 to 5.**

**Ms. Divya Sood, Advocate, for
respondent No.6.**

Ajay Mohan Goel, Judge (Oral)

By way of this writ petition, the petitioners have
prayed for the following reliefs:-

- (i) *“That writ of mandamus may kindly be issued by directing the respondents to access the loss of the petitioners agricultural land and thereafter pay the compensation alongwith interest @12% to the petitioner for the damages being caused due to illegal dumping by the respondent.*

- (ii) *That the respondents may kindly be directed to acquire the damaged land of the petitioners, situated in Khasra No.6064/5074/3613 measuring 03-17 Bighas, in Mohal Shillai, Tehsil Shillai, District Sirmaur, H.P. the jamabandi of the land for the year 2009-10 by further directing the respondent to pay the compensation in lieu of the damaged land.*

2. Learned counsel appearing for respondent No.6 has submitted that the petitioners voluntarily allowed the said respondent to dump muck on their land in terms of the Annexure appended with the reply and for that he was also paid an amount of Rs.3.5 lac, which stands acknowledged by them.

3. Learned counsel for the petitioners submits that the grievance raised by the petitioners is with regard to some other land and not that particular land.

4. Be that as it may, taking into consideration the fact that the allegation of the petitioners is that a private party dumping muck on their private land, this Court is of the considered view that this dispute between two private entities is not to be adjudicated by this Court in exercise of its writ jurisdiction.

5. At this stage, learned counsel for the petitioners prays that the petitioners be allowed to withdraw this petition but with liberty to approach appropriate fora.

6. Petition is dismissed as withdrawn, with liberty as prayed for. Pending miscellaneous applications, if any, also stand disposed of.

(Ajay Mohan Goel)
Judge

July 09, 2025
(*Vinod*)