IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.1829 of 2016
Date of Decision: 17.9.2026

Subhash Sharma

.....Petitioner

Versus

State of Himachal Pradesh and Ors.

.....Respondents

Coram
Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting?

For the Petitioner: Mr. Maan Singh, Advocate.

For the Respondents: Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General and Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General.

Sandeep Sharma, J. *(Oral)*

Learned counsel representing the petitioner, while making available copy of order dated 20.08.2026, passed by the Hon'ble Apex Court in SLP (C) No.7537/2026 titled as Vikesh Rohta & Ors. v. State of Himachal Pradesh & Ors. states that since the State Government is contemplating a policy for which necessary approval is required from the Union of India for regularization of the encroachment, petitioner would be content and satisfied in case he is permitted to make a representation to the competent authority, praying therein for regularization of encroachment allegedly made by him on government land within a period of two weeks and till the

High Court of H.P.

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time, the same is not decided in accordance with law, petitioner may not be evicted pursuant to the order of eviction laid challenged in the instant proceedings.

2. Learned Additional Advocate General is not averse to the aforesaid prayer made on behalf of the petitioner.

3. Having carefully perused order dated 20.8.2026, passed in Vikesh Rohta's case (supra), this Court finds that learned Advocate General has made a statement before the Hon'ble Apex Court that State Government is contemplating a policy for which necessary approval is required from the Union of India and as such, reference has already been made to the Union of India.

4. Consequently, in view of the above, the present petition is disposed of, reserving liberty to the petitioner to file a representation to the competent authority within a period of four weeks, which shall be decided by the competent authority expeditiously, preferably within a period of two months, in accordance with law. However, till the disposal of the representation, petitioner shall not be evicted in terms of the order of eviction being challenged in the instant proceedings. Pending application(s), if any, also stand disposed of

September 17, 2026 **(Sandeep Sharma),**
(manjit) **Judge**

High Court of H.P.

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