IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.16665 of 2026
Date of Decision: 24.9.2026

Anoop Sood

.....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. Daleep Chand, Advocate.

For the Respondents: Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General and Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for respondents No. 1 to 4.
Mr. Varun Rana, Advocate, for respondent No.5.

Sandeep Sharma, J. *(Oral)*

Precisely the grouse of the petitioner as has been highlighted in petition and further canvassed by Mr. Daleep Chand, learned counsel representing him is that though representation was made to the competent authority in the year 2022 (Annexure P-2), stating therein that encroachment has been made on public path by certain persons, but till date, no steps have been taken to remove the encroachment.

2. Having regard to the nature of dispute and order proposed to be passed, this Court sees no necessity to call for reply on behalf of respondents, who are otherwise represented by Mr. Rajan Kahol, learned

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Additional Advocate General. He states that though he has reason to presume and believe that by now, representation (Annexure P-2) may have been decided, but if not, same shall be decided expeditiously.

3. Having carefully perused the averments contained in the petition as well as documents annexed therewith, this Court finds that pursuant to representation made by the petitioner with regard to encroachment on public path, Sub Divisional Officer (Civil) Solan, District Solan sent the matter to Joint Commissioner, Municipal Corporation Solan vide communication dated 30.1.2023 (Annexure P-3), but thereafter, nothing concrete has been done. It also emerges from the documents that officials of Municipal Corporation Solan also visited the spot and identified the encroachment, but fact remains that till date, no order with regard to removal of encroachment has been passed.

4. Consequently, this Court, without going into the merits of the case, deems it fit to dispose of the same with a direction to respondents No. 2 to 5 to ensure that encroachment as indicated by the petitioner on public path is removed expeditiously, preferably within a period of four weeks. Ordered accordingly.

5. Needless to say, authorities concerned while doing the needful shall afford an opportunity of being heard to the petitioner as well as other

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stakeholders and pass appropriate orders. Pending applications, if any, stand disposed of accordingly.

September 24, 2026 **(Sandeep Sharma),**
(manjit) **Judge**

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