

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**CWP No. 11114 of 2026****Decided on: 07.07.2026**

Vyapar Mandal Saraswati Nagar, SawraPetitioner**Versus****State of H.P. and others ..Respondents**

Coram**Ms. Justice Jyotsna Rewal Dua****Whether approved for reporting?¹**

For the Petitioner: Mr. Rohan Tomar and
Mr. Abhinav Chatranta,
Advocates.

For the Respondents: Ms. Menka Raj Chauhan, Deputy
Advocate General for
respondents No. 1 to 3.

Jyotsna Rewal Dua, Judge

Notice. Ms. Menka Raj Chauhan, learned Deputy Advocate General, appears and waives service of notice on behalf of respondents No. 1 to 3.

2. Considering the grievance of the petitioner, submissions made by learned counsel for the parties and the order being passed hereinafter, there is no requirement to issue notices to respondents No. 4 & 5. Reply is also not required to be called from the appearing respondents. Matter has been accordingly heard at this stage.

¹Whether reporters of print and electronic media may be allowed to see the order? Yes.

3. Petitioner is Vyapar Mandal Saraswati Nagar Sawra, Up-Tehsil Saraswati Nagar, Tehsil Jubbal, District Shimla, H.P. Its case is that widening of Hatkoti road National Highway 707 is in progress. Petitioner does not have any grievance to the widening of said road. The dispute raised in this writ petition essentially pertains to the work being carried out in Sawra Bazar to the extent of constructing dividers in the middle of the road. According to the petitioner, dividers proposed to be put in place are approximately five feet wide in themselves. They are being fixed by using concrete and other hardware materials; That there is no footpath for pedestrians and local residents in the bazar which otherwise is densely populated/ visited area. There are shops and residential accommodations on both sides of the road. Several educational, health and veterinary institutions are also functioning within the perimeter of the same road and Sawra Bazar; That existing width of the road is less than the requirement of the bazar. Construction of dividers in the middle of the road that too of the size proposed is going to further congest the area and in turn adversely affect not only the business of the petitioner but also the local residents. Potential accidents due to congestion can also not be ruled out.

4. Learned counsel submits that work of constructing dividers in Sawra Bazar has not yet been completed. It appears that petitioner has represented to the respondent- Executive Engineer, Public Works Department, Jubbal on 02.07.2026 (Annexure P-4). In view of nature of grievance urged for the petitioner, it shall be appropriate to direct respondents No. 1-3/Competent Authority to examine the aforesaid representation of the petitioner in accordance with law, the fact situation and thereafter, take appropriate call in the matter of raising of construction of dividers in Sawra Bazar. In the process of examining the representation, Authorized Representatives of the petitioners and all other concerned Stakeholders including private respondents be also associated. This exercise be carried out within two weeks. The decision so arrived at shall also be communicated to the petitioner.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

July 07, 2026
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Jyotsna Rewal Dua
Judge