

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.11379 of 2026

Decided on: 10.07.2026

Hospitality Solutions, Proprietorship Firm **.....Petitioner**

Versus

State of H.P. and others. **.....Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Neeraj Sharma, Sr. Advocate, with
Mr. Vidush Chauhan, Advocate.

For the Respondents: Mr. Anup Rattan, Advocate General
with Ms. Seema Sharma, Deputy
Advocate General.

Jyotsna Rewal Dua, Judge

This writ petition has been filed for the grant of
following substantive reliefs:-

- “1 *Issue a writ of Certiorari or any other appropriate writ, order or direction quashing and setting aside the impugned notice/order dated 02.07.2026 bearing No. 262-PA to SDM issued by respondent No. 3, annexed as Annexure P-10;*
2. *Issue appropriate writ/order/direction restraining respondent Nos. 1 to 4 from taking coercive action against the petitioner and from obstructing operation of the hotel namely JÜSTA Palampur Resort &*

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

Convention Centre, except in accordance with law and after due process;

3. *Issue appropriate writ/order/direction commanding the official respondents to consider the petitioner's case in the light of the Government guidelines dated 05.05.2026 for issuance of Fire NOC, including the regime relating to inspection, recommendations and provisional NOC.*
4. *Issue appropriate writ/order/direction permitting the petitioner to continue and complete fire safety work in the hotel premises and to process its application/compliance in accordance with the revised Government policy dated 05.05.2026."*

2. The writ petition repeatedly refers to respondent No.5, though respondent No.5 has not even been impleaded as party. Petitioner's main grievance is to the notice dated 02.07.2026 (Annexure P-10) issued by the Sub Divisional Magistrate, Palampur, District Kangra, directing the petitioner to show-cause within three days as to why appropriate action be not taken against it for operating the premises in question without complying with the mandatory fire requirements.

3. Learned Senior Counsel for the petitioner states that petitioner has already responded to the aforesaid notice on 04.07.2026 (Annexure P-11), however, till date no decision upon the notice issued to the petitioner has been taken by the authorities, whereas, in terms of the impugned

notice, operation of petitioner's hotel, banquet and convention facilities have been suspended; Petitioner is suffering on this account as this will result in cancellation of bookings, loss of goodwill and closure of business in turn exposing it to civil claims; Petitioner's case is governed under the Revised Guidelines issued by the State of Himachal Pradesh for issuance of Fire No Objection Certificate notified on 05.05.2026.

Learned Senior Counsel for the submits that petitioner would be satisfied in case respondent No.2/Competent Authority is directed to adjudicate petitioner's response to the notice dated 02.07.2026 in accordance with law, *inter alia*, keeping in view the Revised Guidelines notified by the State of Himachal Pradesh on 05.05.2026, within a time bound schedule. Learned Deputy Advocate General is not averse to this prayer.

4. For the foregoing submissions, but without examining the merits of the writ petition, this writ petition is disposed of with direction to the respondent No.2/Competent Authority to consider and decide the response of the petitioner to the show-cause notice dated 02.07.2026 in accordance with law also keeping in view

notified guidelines dated 05.05.2026, if applicable, within one week from today. In the process of decision, opportunity of hearing be also provided to the authorized representative of the petitioner. Copy of the decision, so arrived at, be communicated to the petitioner.

Pending miscellaneous application(s), if any, also to stand disposed of.

July 10, 2026
R.Atal

Jyotsna Rewal Dua
Judge