

**(2025) 12 SHI CK 0028**  
**Himachal Pradesh HC**  
**Case No:** COPC No.460 Of 2025

Ramesh Kumar

APPELLANT

Vs

Ramesh Thakur & Another

RESPONDENT

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**Date of Decision:** Dec. 2, 2025

**Hon'ble Judges:** Ajay Mohan Goel, J

**Bench:** Single Bench

**Advocate:** Vinod Thakur, Sumesh Raj, Dilip Sharma, Manish Sharma

**Final Decision:** Dismissed

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**Judgement**

Ajay Mohan Goel, J

1. By way of this petition, the petitioner alleges wilful disobedience of the directions passed by this Court in judgment dated 06.01.2025, passed by this Court in CWP No.2094 of 2017 (Annexure C-1).

2. Learned counsel for the petitioner has drawn the attention of the Court to the judgment dated 06.01.2025 and has submitted that it was disposed of with the direction that as respondent No.12 in the writ petition had submitted a Building Plan which was under the consideration of the Authority concerned, no construction shall be carried out by the said respondent till necessary permission was not obtained by the said private respondent. Learned Counsel submitted that despite this, in terms of the photograph appended to the petition, construction activity was carried out which amounts to wilful disobedience of the Court Orders.

3. On the other hand, learned Senior Counsel for the respondents has drawn the attention of the Court to the reply filed and has submitted that after the submission of the Building Plan, the Authority concerned called for the replying respondent to remove a pillar and slab which as per the Authority were constructed beyond the permissible limit and all that the petitioner did was that it took step to remove the structure in question, i.e. the pillar and slab which were identified to be removed by the Nagar Panchayat. Learned Senior Counsel submitted that the photographs taken relate to the said activity undertaken by the respondents, which cannot be said to be wilful

disobedience of the Court orders. Learned Senior Counsel has referred to the reply filed by respondent No.1, wherein it is so mentioned in Para-3 of the reply.

4. Despite opportunity, no rejoinder has been filed thereto.

5. Having heard learned Counsel for the petitioner as also learned Senior Counsel for the respondents, as it could not be instructions of the Nagar Panchayat, this Court is of the considered view that the same does not amounts to willful disobedience of the Court orders.

6. Accordingly, the petition is dismissed. Notices stand discharged.