

**Sh. Jai Krishan Mehta Vs. The HPTDCL & anr.
CWP No. 9681 of 2023**

12.11.2024 Present: Mr. Om Prakash Goel, Advocate, for the petitioner.
Mr. Shilpa Sood, Advocate, for respondent No.1.
Mr. Anup Rattan, Advocate General with Mr. Pranay Pratap Singh, Additional Advocate General, for respondent No.2.
Mr. Rajiv Kumar, M.D, HPTDC in person.

CWP No. 9681 of 2023 & CMP No. 20472 of 2024

Learned Advocate General, on instructions from the Managing Director, HPTDC, informs the Court that as far as the dues of the Departments of the Government, which were outstanding towards HPTDC as on 31.08.2024 are concerned, an amount of Rs. 1,68,22,370/- has been recovered up to 07.11.2024. Similarly, out of the amount which was due to the Tourism Development Corporation from the private individuals or private entities as on 31.08.2024, an amount of Rs. 47,07,403/- has been received, as on 07.11.2024. Learned Advocate General further submits that as the amount is being received almost on daily basis, therefore, the matter be taken up for consideration after two weeks for this particular purpose, so that the total amount recovered can be intimated to the Court and further endeavours can be made to recover the outstanding amount. Learned Advocate General also

submits that as far as the application that has been filed by the Tourism Development Corporation, seeking the permission of the Court to make certain engagements on outsource basis on account of the exigencies of services is concerned, he shall discuss the matter with the Managing Director concerned and the case be taken up after few days, so that appropriate orders can be passed on the said application.

Affidavit in terms of order dated 05.11.2024, has not been filed by the Principal Secretary, Tourism. Learned Advocate General submits that the same shall be filed by the next date of hearing.

The case, as prayed for, is ordered to be listed on **19.11.2024**. On the said date, let an affidavit in terms of order dated 05.11.2024, be positively filed. The prayer of the Corporation to engage outsource workers, will be considered on the said date.

It is further ordered that henceforth the units of the Tourism Development Corporation shall not offer their services or properties whatsoever to any private individual or entity without at least receiving 80% of the tentative amount which the entity or individual shall owe to the Corporation, on account of the services, which are being demanded from the Corporation in advance. This order

shall be applicable in the cases of letting out the properties for marriages and parties and not day to day dealing with guests.

It is clarified that in case any of the concerned Officer in charge of the concerned Unit, errs in this regard, the Officer shall be personally liable to indemnify the losses of the respondent-Corporation.

Similarly, the outstanding amount by the Government Departments, due to the Tourism Corporation, be made good by 30.11.2024, failing which, the Heads of the Department, which still owe money to the respondent-Corporation, shall be liable for contempt of the Court orders.

On the next date of hearing, details of all the units run by HPTDC, shall be furnished to the Court, be it hotels or restaurants. The income earned by each of the units in the last three years, shall be intimated to the Court. As far as hotels are concerned, the details of the hotel rooms, shall be furnished to the Court along-with the occupancy thereof in each preceding calendar year from 01.01.2022 onwards upto 31.10.2024.

List on **19.11.2024**.

(Ajay Mohan Goel)
Judge

November 12, 2024
(Shivank Thakur)