

22.11.2024 Present: Mr. Om Prakash Goel, Advocate, for the petitioner.

Mr. Shrawan Dogra, Senior Advocate with M/s Shilpa Sood and Bhanvi Negi, Advocates for the applicant/respondent No. 1.

Mr. Pushpender Jaswal, Additional Advocate General for respondent No. 2-State.

CMP No. 22065 of 2024

By way of this application, the applicant Tourism Development Corporation has prayed for recall/modification of the order passed by this Court on 19.11.2024, in terms whereof, this Court had directed the Tourism Development Corporation to forthwith stop operation with regard to 18 properties, which in terms of the data placed before the Court by the Tourism Development Corporation were having occupancy of less than 40% per annum.

Learned Senior Counsel appearing for the applicant-Tourism Development Corporation has submitted that taking a cue from the order that was passed by the Court, the Corporation is taking serious steps to ensure that the properties of the Corporation are put to maximum utilization and they become a profit earning ventures rather than “white elephants”. Learned Senior Counsel prayed for and was permitted to place on record the data, in terms whereof, learned Senior Counsel has submitted that some of the properties which have been

ordered to be closed have certain forthcoming obligations in the mode of room bookings as well as event bookings. Advances have been received from the parties and in these circumstances, modification of the order has been prayed for. Learned Senior Counsel has also taken the Court through the financial earning of the 18 Units and perusal thereof demonstrates that some of these Units which besides having Hotel Rooms, are providing other facilities of restaurant and banquet halls etc. of late have started earning income from the same. In addition, units like The Palace Hotel, Chail and The Castle Nagar are also earning income from gate entry ticket.

Learned Senior Counsel submitted that as the Corporation indeed stands chastened by the order passed by the Court, it is and shall be making all out endeavour to pull out the Corporation out of the red and besides ensuring that dues of its retired employees are paid in time, it shall also make an endeavour to ensure that such like situation does not arises in future. Accordingly, he prayed that the order that was passed by this Court on 19.11.2024 be modified.

Having heard learned Senior Counsel for the applicant/ Corporation and also learned Counsel for the petitioner and having perused the compilation that was handed over by learned Senior Counsel which has been taken on record, though, this

Court is not modifying its order dated 19.11.2024 in totality, however, it permits the respondent-Corporation to run the following properties of its till 31.03.2025. The continuation of order dated 19.11.2024 qua the said properties shall be reviewed thereafter based on their performance. These properties are as under:-

- i) The Palace Hotel, Chail,
- ii) Hotel Chanderbhaga, Keylong
- iii) Hotel Devdar, Khajjar
- iv) Hotel Meghdoot, Kiarighat,
- v) Hotel Log Huts, Manali,
- vi) Hotel Kunzum, Manali,
- vii) Hotel Bhagsu, Mcleodganj,
- viii) Hotel the Castle, Naggar
- ix) Hotel Dhauladhar, Dharamshala

However, order dated 19.11.2024 shall continue to remain in operation qua other properties/Units. The application stands disposed of accordingly.

As prayed for, Registry is directed to reflect the name of office of learned Advocate General for respondent No. 2 in the Cause List.

(Ajay Mohan Goel)
Judge

November 22, 2024
(narender)