

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

RFA No. 30 of 2012

Reserved on: 20.07.2026

Date of decision: 29.07.2026

Date of uploading on Website: 29.07.2026

Ganesh Dutt and others

....Appellants

Versus

The Land Acquisition Collector and another

...Respondents

Coram

Hon'ble Mr. Justice Sushil Kukreja, Judge

¹ *Whether approved for reporting?*

For the appellants: Mr. Ajay Sharma, Senior Advocate, with
Mr. Tarun K. Brakta, Advocate.

For the respondents: Mr. Raj Kumar Negi, Additional Advocate
General, for respondent No.1/State.

Mr. Bharat Bhushan, Senior Panel
Counsel, for respondent No.2.

Sushil Kukreja, Judge

The instant appeal has been preferred under Section 54 of the Land Acquisition Act, 1894 (for short, 'the Act') by the appellants/ petitioners against the common award dated 31.08.2011, passed by the learned District Judge, Una, District Una, HP (for short 'the Reference Court'), with the prayer that the impugned award may be modified and the market value of the land

¹ *Whether reporters of Local Papers may be allowed to see the judgment?*

be enhanced further to the tune of Rs.200/- per sq. meter.

2. The facts of the case, in brief, are that the Government of Himachal Pradesh issued a notification under Section 4 of the Act on 14.07.2005 for acquisition of the land of the petitioners, comprised in Khewat Khatauni No.84/374 min, 378 min, 129/577, 518 to 520min, situated in Up Mohal Ram Nagar, Tehsil Amb, District Una, HP, for construction and laying of Nangal-Talwara Broad Gauge Railway line in revenue estate (Up Mohal) Ram Nagar, Tehsil Amb District Una, HP. After following all codal formalities, the Land Acquisition Collector passed Award No.12 of 2006/07, whereby the market value of the acquired land was determined @ Rs.250/- to Rs.500/- per square meter, category and classification wise.

3. Feeling aggrieved and dissatisfied with the said award, the petitioners and other land owners preferred reference petitions under Section 18 of the Act with the prayer that the matter be referred to the learned District Judge for payment of fair and adequate amount of compensation.

4. The learned Reference Court, vide common award dated 31.08.2011, allowed the reference petition and the market value of the acquired land was re-determined at the rate of

Rs.800/- per square meter, irrespective of the classification of the land, alongwith all statutory benefits. The appellants-petitioners still being feeling aggrieved and dissatisfied preferred the instant appeal, with a prayer that the impugned award may be modified and the market value of the land be enhanced further to the tune of Rs.200/- per sq. meter, thereby awarding a sum of Rs.1,88,800/- alongwith amount of severance, interest and cost etc.

5. I have heard learned Senior counsel for the appellants as well as learned Additional Advocate General for respondent No.1 and learned Senior Panel Counsel for respondent No.2 and have also carefully gone through the entire record.

6. The Senior Counsel for the appellants as well as the learned Additional Advocate General and the learned Senior Panel Counsel for the respective respondents are *ad idem* to the fact that in similar cases, arising out of award dated 31.08.2011, passed by the learned District Judge, Una, HP, a Co-ordinate Bench of this Court in a batch of appeals, lead case being ***RFA No.625 of 2012-C*** titled ***General Manager, Northern Railway Vs. Himmat Kumar & others alongwith connected matters, decided on August 11, 2017***, dismissed the appeals and upheld the aforesaid

award dated 31.08.2011, passed by the learned District Judge, Una, HP in ***Land Reference Petition No.3 of 2010, titled as Himmat Kumar and others Vs. Land Acquisition Collector (Railways) Una and another, alongwith other connected reference petitions.***

7. Therefore, in view of the above, the instant appeal is disposed of in terms of the aforesaid judgment passed in ***RFA No.625 of 2012-C*** and the directions issued in the said judgment shall apply *mutatis mutandis* to the instant case.

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

July 29, 2026
(V.Himalvi)

(Sushil Kukreja)
Judge