

**IN THE HIGH COURT OF HIMACHAL PRADESH AT
SHIMLA**

RFA No. 107 of 2013

Reserved on: 24.08.2026

Date of decision: 28.09.2026

**Date of uploading on website:
28.09.2026**

Land Acquisition Collector		Appellant.
Versus		
Noor Hussain		Respondent.

Coram

The Hon'ble Mr. Justice Sushil Kukreja, Judge.

¹ *Whether approved for reporting?*

For the appellants:	Mr. Balvinder Singh Ballu, Deputy Advocate General.
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None for the respondent.

Sushil Kukreja, Judge.

The instant appeal has been preferred by the appellants/Land Acquisition Collector, under Section 54 of the Land Acquisition Act, 1894 (for short “the Act”) against award dated 19.04.2012, passed by learned Additional District Judge-II, Kangra at Dharamshala, District Kangra, H.P. (hereinafter referred to as “the learned Reference Court”), in Reference Case No. 68-J/2011/2006 alongwith other matters, whereby the reference petitions filed by the petitioner/claimant (respondent herein) and others, were

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

allowed.

2. The facts giving rise to the instant appeal are that the vide Notification, dated 30.01.1999, issued under Section 4 of the Act, which was published in H.P. Rajpatra on 20.02.1999 and in news papers, i.e., Ajit Samachar, dated 17.05.1999 and Dainik Tribune, dated 20.03.1999, the land of the petitioner/claimant and others, situated at Mohal and Mauza Duhag, District Kangra, H.P., was intended to be acquired for the purpose of construction of Shah Nehar Project. Subsequently, notification under Sections 6 and 7 of the Act was published and ultimately the Land Acquisition Collector had passed the award. However, the petitioner/claimant and others, being not satisfied with the award of the Land Acquisition Collector preferred various reference petitions, under Section 18 of the Act, before the learned Reference Court seeking enhancement of the compensation amount.

3. The Reference Court, after hearing the learned counsel for the parties and after examining the entire record, allowed all the reference petitions, including the petition so filed by the respondent herein, and held them entitled to enhanced compensation of the acquired land

@Rs.7,50,000/- per hectare alongwith all the statutory benefits.

4. Feeling aggrieved, the appellant/Land Acquisition Collector, preferred the instant appeal against the impugned award with a prayer to set-aside the same.

6. I have heard the learned Deputy Advocate General for the appellants/State and carefully examined the entire records.

7. Indisputably, similarly situated claimants, whose land was also acquired for construction of Shah Nehar Project, had also filed land reference petitions before the learned Reference Court, whereby a prayer for enhancement of the compensation awarded by Land Acquisition Collector was made. The above reference petitions were disposed of together, by way of impugned award dated 19.04.2012, whereby the learned Reference Court re-determined the market value of the entire land at the rate of Rs.7.5 lacs per hectare. The learned Deputy Advocate General for the appellants/State stated that against the impugned common award, the appellant/State had filed appeals before this Court and the same were decided on 01.06.2016, by a Co-ordinate Bench of this Court, by way of common judgment, lead case

being ***RFA No. 953 of 2012-C***, titled as ***Land Acquisition Collector & another vs. Jatinder Singh***.

8. Hence, in view of what has been discussed hereinabove, the instant appeal is disposed of and it is ordered that the directions contained in ***RFA No. 953 of 2012-C***, titled as ***Land Acquisition Collector & another vs. Jatinder Singh***, decided on 01.06.2016 (supra), shall *mutatis mutandis* apply to the instant appeal as well.

The appeal stands disposed of in the aforesaid terms. Pending application(s), if any, shall also stand(s) disposed of.

(Sushil Kukreja)
Judge

28th September, 2026
(virender)