



2026:UHC:4324

IN THE HIGH COURT OF UTTARAKHAND AT
NAINITAL

First Appeal No.206 of 2025

Praveen Kumar and Another Appellants

Versus

Rail Vikas Nigam Ltd and another Respondents

With

First Appeal No.181 of 2025

Rail Vikas Nigam Ltd Appellant

Versus

Puneet Kumar Mittal and another Respondents

With

First Appeal No.182 of 2025

Rail Vikas Nigam Ltd Appellant

Versus

Praveen Kumar Agrawal and others Respondents

With

First Appeal No.207 of 2025

Puneet Kumar Mittal Appellants

Versus

Rail Vikas Nigam Ltd and another Respondents

Presence:-

Mr. Bhuwan Bhatt, learned counsel for the appellants in FA No.206 of 2025 and FA No.207 of 2025.

Mr. V.K. Kaparuwan, learned counsel for appellant/RVNL in FA



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No.181 of 2025 and FA No.182 of 2025.

Mr. Yogesh Chandra Tiwari, learned Standing Counsel for the State.

Hon'ble Siddhartha Sah, J. (Oral)

First Appeal No.181 of 2025 has been preferred against the award dated 03.06.2025 passed by the Ld. Presiding Officer/District Judge, Land Acquisition, Rehabilitation & Resettlement Authority (hereinafter referred to as "LARRA"), Pauri Garhwal in Misc. Case No. 105/2023 (Reference Case No. 24/2018), "Puneet Kumar Mittal Vs. Chief Project Manager and another", whereby the Review Application filed by the respondent was allowed, and the appellant was directed to pay compensation at the rate of Rs. 7,809/- instead of Rs. 7,473/- per sq. mtr., along with 100% solatium amounting to Rs. 32,79,780/- and other consequential benefits, together with interest @ 12% per annum (simple interest) w.e.f. 11.03.2016 till the date of actual payment and thus seeking setting-aside of award dated 03.06.2025.

2. **First Appeal No.206 of 2025** has been preferred against the award dated 03.06.2025 passed by the Ld. Presiding Officer/District Judge, Land Acquisition, Rehabilitation & Resettlement Authority



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(LARRA), Pauri Garhwal in Misc. Case No. 106/2023 (Reference Case No. 27/2018), “Om Prakash Agrawal Vs. Chief Project Manager and another”, whereby the Review Application filed by the respondent was not allowed in toto, and the respondent was directed to pay compensation at the rate of Rs. 7,809/- instead of Rs. 7,473/- per sq. mtr., along with interest @ 12% per annum (simple interest) w.e.f. 11.03.2016 till the date of actual payment and thus seeking modification of award/enhancement of interest from 12% to 15%.

3. **First Appeal No.182 of 2025** has been preferred against the award dated 03.06.2025 passed by the Ld. Presiding Officer/District Judge, Land Acquisition, Rehabilitation & Resettlement Authority (LARRA), Pauri Garhwal in Misc. Case No. 106/2023 (Reference Case No. 27/2018), “Om Prakash Agrwal Vs. Chief Project Manager and another”, whereby the Review Application filed by the appellant was allowed, and the appellant was directed to pay compensation at the rate of Rs. 7,809/- instead of Rs. 7,473/- per sq. mtr., and other consequential benefits, together with interest @ 12% per annum (simple interest) w.e.f. 11.03.2016 till the date of actual payment and thus seeking setting-aside of the award dated 03.06.2025.



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4. **First Appeal No.207 of 2025** has been preferred against the compensation award dated 03.06.2025 passed by the Ld. Presiding Officer/District Judge, Land Acquisition, Rehabilitation & Resettlement Authority (LARRA), Pauri Garhwal in Misc. Case No.105/2023 (Reference Case No. 24/2018), “Puneet Kumar Mittal Vs. Chief Project Manager and another”, whereby the Review Application filed by the respondents was not allowed in toto, and the respondent was directed to pay compensation at the rate of Rs. 7,809/- instead of Rs. 7,473/- per sq. mtr., along with interest @ 12% per annum (simple interest) w.e.f. 11.03.2016 till the date of actual payment and thus seeking modification of award/enhancement of interest from 12% to 15%.

5. Since common questions of law and fact are involved in these appeals, therefore, they are being heard and decided together. However, for the sake of brevity, facts of First Appeal No.181 of 2025 alone are being considered.

6. The facts of the case, in brief, are being narrated hereinafter. Land situated in Village Purana Srinagar, Pargana Behelgarh Tehsil Srinagar, District Pauri Garhwal, was acquired for the purpose of the Rishikesh–Karnaprayag Railway Line Project. The project



related to the construction of a 126 km stretch of a new broad gauge railway line between Rishikesh and Karnaprayag, for which an area measuring 0.395 hectares belonging to the claimants and other landowners was acquired. The acquiring body was Rail Vikas Nigam Ltd., Rishikesh (hereinafter referred to as RVNL). In the present case, the preliminary notification under Section 4 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as “the Act”) was issued on 11.03.2016. The Social Impact Assessment Study was notified on 27.04.2016 and was published in the newspapers on 29.04.2016 and 30.04.2016. The public hearing was held on 15.10.2016, and the Social Impact Assessment Report was evaluated by the Expert Group on 22.11.2016.

7. Thereafter, the notification under Section 11 of the Act was made on 23.11.2016 and was published in newspapers on 01.12.2016 and 02.12.2016. The preliminary survey under Section 12 of the Act was conducted between 15.03.2017 and 23.03.2017. The Draft Rehabilitation and Resettlement Scheme was published on 16.06.2017. Draft Rehabilitation and Resettlement Scheme was reviewed on 15.07.2017, and the approved Rehabilitation and Resettlement Scheme



was made public on 19.07.2017. Subsequently, the notification under Section 19 of the Act was made on 09.11.2017 and published in the newspapers on 10.12.2017. The notices under Section 21 of the Act were issued on 01.02.2018. The award was declared by the Collector on 27.04.2018.

8. Being dissatisfied with the award declared by the Collector, the landowners sought a reference under Section 64 of the Act before the Land Acquisition, Rehabilitation and Resettlement Authority (LARRA)/ District Judge, Pauri Garhwal. The said reference was registered as Reference No. 24 of 2018 before the LARRA, wherein an award was passed on 30.01.2020. By the said award, the value of the land was determined at Rs. 7,473/- per square metre, and double thereof, i.e. Rs. 14,946/- per square metre, was awarded to the landowners/claimants along with 12% interest. Aggrieved against the award dated 30.01.2020, RVNL preferred First Appeal No. 95 of 2020 before this Court. However, the said appeal was dismissed as withdrawn on 15.12.2021 with liberty to file a fresh appeal.

9. The claimant/landowners were not satisfied with the award dated 30.01.2020 passed by the LARRA and hence sought a review of the said order under the



provisions of Section 60(1)(f) of the Act. In the review application, the main ground of review was that the landowners/claimants had not received solatium amounting to 100% of the market value as contemplated under Section 69(3) of the Act. The other contention raised by the claimants/landowners was that they were entitled to interest. However, since the compensation itself was paid with delay, they were entitled to interest at the rate of 15%. In the review application, it was also pointed out that there was an arithmetical error in the calculation of the average value of the exemplar sale deed, and the correct value would be Rs.7,862/- instead of Rs.7,473/-.

10. The review application was numbered as Misc. Civil Case No. 105 of 2023 (Reference No. 24 of 2018), *Puneet Kumar Mittal vs. Chief Project Manager, RVNL and Another*. Objections to the review application were invited and the same were filed by the RVNL, wherein it was contended that the grounds taken in the review application were erroneous and that the review application deserved to be dismissed. Ultimately, after hearing the parties on the review application, the LARRA, by award dated 3rd June 2025, reviewed its earlier award dated 30.01.2020 and found that there was an arithmetical error in the calculation. Therefore, instead of



Rs. 7,473/- per sq. metre as the market value, it determined the correct market value to be Rs. 7,809/- per square metre, and the double thereof to be Rs. 15,618/- per square metre. On that basis, the compensation of the acquired land was determined to be Rs. 32,79,780/-. On the total compensation, the claimants/landowners were also held entitled to 100% solatium, i.e., Rs. 32,79,780/-. The review applicants/landowners were further held entitled to 12% simple interest from 11.03.2016.

11. Aggrieved by the aforesaid order dated 03.06.2025, the first appeal has been preferred.

12. Assailing the aforesaid award (review order) dated 03.06.2025, learned counsel for the RVNL/appellant would submit that the grant of solatium, that too at the stage of review, was erroneous inasmuch as the landowners/claimants were not entitled to any solatium amount under the provisions of Sections 26 and 30 read with the First Schedule of the Act. Learned counsel for the appellant would submit that the claimants/landowners were not entitled to any solatium inasmuch as they had already received double the amount of the market value. Hence, there was no question of awarding any solatium.



13. Learned counsel for the appellant would refer to Section 26(2) of the Act, which states that the market value is to be calculated as per sub-section (1) and shall be multiplied by a factor specified in the First Schedule. Referring to the First Schedule, learned counsel would submit that since double the amount of the market value had already been granted, no question of solatium would arise. Learned counsel for the appellant would further submit that the scope of review is very limited and, as per the provisions of Order XLVII Rule 1 CPC, review is permissible only in cases where there is an error apparent on the face of the record. According to learned counsel, grant under any additional head of compensation under the Act would tantamount to an appeal in the garb of review.

14. On the aspect of review, learned counsel for the appellant would draw the attention of the Court to the provisions of Section 72 and has particularly drawn the attention of the Court to the proviso to Section 72 of the Act. Section 72 of the Act is extracted hereunder for ready reference:

“72. Collector may be directed to pay interest on excess compensation.—*If the sum, which in the opinion of the Authority concerned, the Collector ought to have awarded as compensation is in excess of the sum which the Collector did award as*



compensation, the award of the Authority concerned may direct that the Collector shall pay interest on such excess at the rate of nine per cent per annum from the date on which he took possession of the land to the date of payment of such excess into Authority:

Provided that the award of the Authority concerned may also direct that where such excess or any part thereof is paid to the Authority after the date or expiry of a period of one year from the date on which possession is taken, interest at the rate of fifteen per cent per annum shall be payable from the date of expiry of the said period of one year on the amount of such excess or part thereof which has not been paid into Authority before the date of such expiry.”

15. With reference to Section 72 of the Act, learned counsel for the appellant would contend that the interest is payable from the relevant date as contemplated under the Act. Learned counsel for the appellant has also drawn the attention of this Court to Section 69(2) of the Act, wherein it has been submitted that, in addition to the market value of the land, interest at the rate of 12% is payable from the date of the award or from the date of taking possession of the land, whichever is earlier. Learned counsel submits that there has been no delay on the part of the appellant in depositing and remitting the awarded amount; hence, there is no question of payment of interest at the rate beyond 12%, what has already been



granted. Hence, the appeals preferred by the claimants/landowners, to the extent they seek enhancement of the interest component from 12% to 15%, are misconceived, and therefore they are not entitled to such enhancement. Referring to the proviso to Section 72, learned counsel would submit that the question of payment of interest at the rate of 15% would arise only in cases where the excess amount or any part thereof is paid to the authority after the expiry of one year from the date possession is taken. However, in the present case, this question does not arise, as the compensation amount was remitted at the earliest and there was no delay on the part of the appellant. Therefore, there is no question regarding entitlement to 15% interest, as claimed in First Appeal Nos. 206 and 207 of 2025. Learned counsel for the appellants would further submit that the Collector has already granted interest at the rate of 12%; hence, there is no occasion for the claimants/landowners to claim interest at the rate of 15%.

16. *Per contra*, learned counsel for the claimants/landowners, who are also the appellants in First Appeal Nos. 206 and 207 of 2025, would draw the attention of the Court to the operative portion of the order dated 30.01.2020, wherein the LARRA, had granted



compensation at the rate of Rs. 7,473/- per square metre and double thereof at the rate of Rs. 14,946/- per square metre, and had also awarded interest at the rate of 12%. Learned counsel states that, so far as the double market value as per the First Schedule and the 12% interest under Section 30(3) are concerned, there is no controversy. Learned counsel for the appellants/landowners/claimants would draw the attention of the Court to Section 30(2) of the Act and has also invited the attention of the Court to Section 69(3) of the Act, as well as Serial No. 5 of the First Schedule. It is thus submitted that the review application had to be filed under the provisions of Section 60(1)(f) of the Act, since the LARRA had omitted to grant the solatium amount as mandated under Section 30 and Section 69(3) of the Act. Since it was an error apparent on the face of the record and the mandate was specifically contained in the Act, the landowners/claimants had rightly invoked Section 60(1)(f) and sought review of the award dated 30th January, 2020. Learned counsel for the claimants/landowners would further submit that the proviso to Section 72 of the Act provides for interest at the rate of 15% in the event of delay in payment, and in the present case, since there was delay, Section 72 would come into play and the landowners/claimants were



entitled to interest at the rate of 15% on the compensation amount. Learned counsel for the claimants/landowners also drew the attention of the Court to Section 30(1) of the Act and submitted that the Collector, after determining the compensation and arriving at the final award, is also required to award a solatium amount equal to 100% of the compensation amount. He thus contends that Section 30(1) has to be read along with Section 69(3) of the Act, and that the solatium amount is a distinct component apart from the market value. Hence, the LARRA committed a manifest error apparent on the face of record by ignoring the provisions of Sections 30 and 69(3), as well as the First Schedule, wherein all the components required to be granted are specifically mentioned. Since the solatium amount was not granted by the LARRA, the claimants were constrained to bring the said anomaly and mistake, which was writ large on the face of record, to the notice of the authority by means of the review application.

17. Thus, the controversy that has to be determined in these first appeals is whether the solatium amount would be in addition to the compensation amount as contemplated under Sections 26 and 30 of the Act and whether the LARRA had the jurisdiction to review



the order dated 30.01.2020 in view of provisions of section 60(1)(f) of the Act.

18. Hence, in view of the aforesaid, the following points for determination arise in the first appeal as follows:-

“(i) Whether the solatium amount would be in addition to the compensation as contemplated under Sections 26 and 30 of the Act?

(ii) Whether the LARRA could have reviewed the final judgment and order dated 30.01.2020 under Section 60(1)(f) of the Act?

(iii) Whether the LARRA was justified in granting the interest at the rate of 12% and not 15% as has been claimed by the landowners?”

Point for Determination No.(i)-

To answer the Point for Determination No.(i), reference needs to be made to Section 26 of the Act, which is being reproduced hereunder:-

“26. Determination of market value of land by Collector.- (1) The Collector shall adopt the following criteria in assessing and determining the market value of the land, namely:-



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(a) the market value, if any, specified in the Indian Stamp Act, 1899 (2 of 1899) for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated; or

(b) the average sale price for similar type of land situated in the nearest village or nearest vicinity area; or

(c) consented amount of compensation as agreed upon under sub-section (2) of section 2 in case of acquisition of lands for private companies or for public private partnership projects,

whichever is higher:

Provided that the date for determination of market value shall be the date on which the notification has been issued under Section 11.

Explanation 1.-The average sale price referred to in clause (b) shall be determined taking into account the sale deeds or the agreements to sell registered for similar type of area in the near village or near vicinity area during immediately preceding three years of the year in which such acquisition of land is proposed to be made.

Explanation 2.--For determining the average sale price referred to in Explanation 1, one-half of the total number of sale deeds or the agreements to sell in which the highest sale price has been mentioned shall be taken into account.

Explanation 3.-While determining the market value under this section and the average sale price referred to in Explanation 1



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or Explanation 2, any price paid as compensation for land acquired under the provisions of this Act on an earlier occasion in the district shall not be taken into consideration.

Explanation 4.-While determining the market value under this section and the average sale price referred to in Explanation 1 or Explanation 2, any price paid, which in the opinion of the Collector is not indicative of actual prevailing market value may be discounted for the purposes of calculating market value.

(2) The market value calculated as per sub-section (1) shall be multiplied by a factor to be specified in the First Schedule.

(3) Where the market value under sub-section (1) or sub-section (2) cannot be determined for the reason that-

(a) the land is situated in such area where the transactions in land are restricted by or under any other law for the time being in force in that area; or

(b) the registered sale deeds or agreements to sell as mentioned in clause (a) of sub-section (1) for similar land are not available for the immediately preceding three years; or

(c) the market value has not been specified under the Indian Stamp Act, 1899 (2 of 1899) by the appropriate authority,

the State Government concerned shall specify the floor price or minimum price per unit area of the said land based on the price



calculated in the manner specified in sub-section (1) in respect of similar types of land situated in the immediate adjoining areas:

Provided that in a case where the Requiring Body offers its shares to the owners of the lands (whose lands have been acquired) as a part compensation, for acquisition of land, such shares in no case shall exceed twenty-five per cent. of the value so calculated under sub-section (1) or sub-section (2) or sub-section (3) as the case may be:

Provided further that the Requiring Body shall in no case compel any owner of the land (whose land has been acquired) to take its shares, the value of which is deductible in the value of the land calculated under sub-section (1):

Provided also that the Collector shall, before initiation of any land acquisition proceedings in any area, take all necessary steps to revise and update the market value of the land on the basis of the prevalent market rate in that area: Provided also that the appropriate Government shall ensure that the market value determined for acquisition of any land or property of an educational institution established and administered by a religious or linguistic minority shall be such as would not restrict or abrogate the right to establish and administer educational institutions of their choice.”

Also, Section 30 of the Act, which provides for solatium, would be a relevant statutory provision and is extracted hereunder:–

“30. Award of solatium.



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(1) The Collector having determined the total compensation to be paid, shall, to arrive at the final award, impose a "Solatium" amount equivalent to one hundred per cent of the compensation amount.

Explanation. - For the removal of doubts it is hereby declared that solatium amount shall be in addition to the compensation payable to any person whose land has been acquired.

(2) The Collector shall issue individual awards detailing the particulars of compensation payable and the details of payment of the compensation as specified in the First Schedule.

(3) In addition to the market value of the land provided under Section 26, the Collector shall, in every case, award an amount calculated at the rate of twelve per cent per annum on such market value for the period commencing on and from the date of the publication of the notification of the Social Impact Assessment study under sub-section (2) of Section 4, in respect of such land, till the date of the award of the Collector or the date of taking possession of the land, whichever is earlier."

19. On one hand, learned counsel for the appellant, Mr. V.K. Kaparwan, would submit that landowners/claimants were not entitled to any solatium amount under the provisions of Sections 26 and 30 of the Act read with First Schedule of the Act.

20. Learned counsel for the appellant has submitted that claimants/landowners were not entitled



to any solatium in as much as they have already received double the amount of market value, hence there was no question of awarding any solatium.

21. Learned counsel for the appellant would refer to Section 26(2) of the Act, which states that the market value calculated as per sub-section (1) shall be multiplied by a factor to be specified in the First Schedule. Referring to the First Schedule, learned counsel for the appellant has submitted that since double the amount of market value had already been granted, thus, no question of any additional amount as solatium would arise.

22. *Per contra*, learned counsel for the respondent/landowners has drawn the attention of the Court to Section 30(1) and 30(2) of the Act and Section 69(3) as well as Serial No.5 of the First Schedule.

23. Making reference to the aforesaid provisions, learned counsel for the respondent/landowners would contend that after determining the total compensation for arriving at the final award, it is also required to award the solatium amount equal to 100% of the compensation amount. He has submitted that Section 30(1) of the Act has to be read along with Section 69(3) of the Act and the solatium amount is a distinct and a different component



apart from market value. He, thus, argues that LARRA committed a manifest error by ignoring the provisions of Sections 30(1) and 69(3) as well as the First Schedule, where all the components required to be granted are specifically mentioned, that too under separate heads. Since the solatium amount was not granted by the LARRA, the claimants were constrained to bring the said anomaly and mistake, which was also writ large on the face of record, to the notice of LARRA by means of the review application, which is a statutory provision under the Act.

24. After considering the rival submissions of the learned counsel for the parties, the provisions of Section 26 and 30 of the Act need to be analyzed for adjudicating point for determination No.(i). Section 26(2) of the Act specifically provides that the market value is to be calculated as per sub-section 1 and shall be multiplied by a factor to be specified in the First Schedule. Section 30(1) of the Act provides that the Collector having determined the total compensation to be paid, shall, to arrive at the final award, impose a "Solatium" amount equivalent to one hundred per cent. of the compensation amount. The solatium amount is the amount which is paid to the landowners on account of the compulsory acquisition of the land and is over and above the value of



the land that is being acquired. Thus, from reading of Section 26(2) and Section 30(1) of the Act, it is abundantly clear that the solatium amount is a different component than the compensation and to arrive at the final award, the total compensation and the solatium have to be added.

25. In this context, it would be useful to refer to the judgment of the Hon'ble Supreme Court in the case of "R.B. Dealers Pvt. Ltd. vs. Metro Railway, Kolkata", reported in (2019) 20 SCC 658. In the said judgment, the Hon'ble Supreme Court had the occasion to dwell on the controversy as has been raised in the present appeal. In the said judgment, the Hon'ble Supreme Court has held that

*"4.1..... Therefore, on a conjoint reading of the aforesaid provisions and the scheme of the 2013 Act, the final award declared by the Collector shall be in three parts/components, namely, the amount of compensation (which shall include the market value of the land to be acquired and the value of the assets attached to the land); the solatium determined and payable under sub-section (1) of Section 30 which shall be equivalent to one hundred per cent of the compensation amount (the market value + value of assets attached to the land) and the amount calculated at the rate of 12% p.a. on such market value [as per sub-section (3) of Section 30 of the 2013 Act]. **All the three components would be independent** which shall ultimately form part of the final award.*



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“4.3. Therefore, on a fair reading of the relevant provisions of the 2013 Act, namely, Sections 26 to 30, we are of the opinion that the High Court has rightly observed and held that the solatium amount to be determined and calculated under sub-section (1) of Section 30 of the 2013 Act shall be equivalent to 100% of the market value determined under Section 26 of the Act plus the value of all assets attached to the land i.e. the total amount of the compensation and shall not include an amount calculated at the rate of 12% p.a. on such market value payable under sub-section (3) of Section 30 of the 2013 Act. On fair reading of the aforesaid provisions and the scheme of the 2013 Act, we are of the opinion that any other interpretation would be contrary to the scheme of the 2013 Act.

5. In view of the above and for the reasons stated above, it is held that the solatium as contemplated under sub-section (1) of Section 30 of the 2013 Act has to be calculated only on the market value plus the value of the assets attached to the land i.e. total compensation amount as determined as per Sections 26, 27 and 28 of the 2013 Act which shall not include the additional amount at the rate of 12% p.a. on such market value as payable under sub-section (3) of Section 30 of the 2013 Act. We are in complete agreement with the view [Metro Railway v. R.B. Dealers (P) Ltd., 2019 SCC OnLine Cal 1834]’ [Metro Railway v. Kishan M. Agarwal, 2019 SCC OnLine Cal 1835]’ [Metro Railway v. Kishan M. Agarwal, 2019 SCC OnLine Cal 1836] taken by the High Court. Both these special leave petitions fail and deserve to be dismissed and are accordingly dismissed.”

26. Thus, in view of the provisions of Section 26 and Section 30(1) of the Act and the position having been clarified by the Hon’ble Supreme Court in the case of R.B. Dealers Pvt. Ltd. (supra), it is clear that the solatium amount is in addition to the compensation as determined under Section 26 of the Act and is a different component,



hence the point for determination No.(i) is, thus, answered accordingly.

Point for Determination No.(ii)-

The Point for Determination No.(ii) has arisen since by virtue of the impugned judgment and order dated 03.06.2025, the LARRA has allowed the review application filed by the respondent. Assailing the order dated 03.06.2025, learned counsel for the appellant has contended that since there was no error apparent on the face of the record, hence the provisions of review could not have been resorted to by the Landowners. The learned counsel for the appellant would submit that instead of reviewing the judgment, the LARRA has passed a new judgment, which is not permissible under provisions of Order 60 (1)(f) of the Act read with Order 47 Rule 1 of the CPC and he submits that at best the LARRA could have confined to the error or the anomalies as contained in the order under review dated 30.01.2020. He also submitted that in review proceedings, the LARRA could not have heard the matter altogether de-novo and could not have returned totally new findings.

27. On the other hand, learned counsel for the respondent, Mr. Bhuwan Bhatt would refer to the



judgment and order dated 03.06.2025 and he has contended that since Section 60(1)(f) of the Act itself gives the power to the authority to review its own decisions, directions and orders, therefore, the LARRA had rightly allowed the review application, since the statutory solatium amount was not granted by virtue of the judgment and order dated 30.01.2020.

He would further submit that no new judgment was passed, in fact, the earlier judgment dated 30.01.2020 was reviewed since there were arithmetical errors, the solatium component was not granted and the interest was granted at a lower rate of interest than the land owners were entitled to, hence, the review application was rightly entertained and was rightly decided by the LARRA.

He would further submit that since under provisions of Section 26, 30(1) and 69(3) read with First Schedule of the Act, the solatium amount is an additional amount other than the compensation to arrive at the final award and since it was a statutory amount that was to be paid to the landowners for the compulsory acquisition which had not been paid, hence there was an error apparent on the face of record and the LARRA has



rightly rectified its error by reviewing the judgment and order dated 30.01.2020.

28. Learned counsel for the respondent/landowner would further refer to provisions of Section 60(1)(f) of the Act and made submissions that the review power is comprehensive since the authority can review the final decisions, orders and directions, therefore, no fault can be found in the order dated 03.06.2025, whereby the final judgment and order dated 30.01.2020 has been reviewed by the authority finding errors in the said judgment and order.

29. Having considered the submissions of the learned counsel for the parties, it is apparent from the record that in the judgment and order dated 30.01.2020, the LARRA had omitted to grant the solatium amount and there was also arithmetical error, which so far as the arithmetical error is concerned, the learned counsel for the appellant also does not deny or dispute. His contentions are only regarding the solatium amount, which he submits, could not have been granted by reviewing the order dated 30.01.2020.

30. Since Section 30(1) of the Act itself provides for the solatium amount over and above the compensation to



arrive at the final award, hence ignoring the statutory provisions by the LARRA is itself an error writ large on the face of record, and it is a patent error which deserved to be reviewed and the authority having reviewed its order and granted solatium amount, did not commit any error, rather it has corrected the error which had crept in the judgment and order dated 30.01.2020.

31. Moreover, provisions of Section 60 (1)(f) of the Act are comprehensive in nature and provide a statutory power of review to the authority. Hence, the authority has rightly exercised the power of review vested in it under Section 60(1)(f) of the Act and as such on this count too, no error has been found in the impugned judgment and order dated 03.06.2025.

The Point for Determination No.(ii) is, thus, answered accordingly.

Point for Determination No.(iii)-

On this aspect, learned counsel for the appellant has drawn the attention of the Court to the provisions of Section 72 and the proviso thereof. With reference to Section 72 of the Act, the learned counsel for the appellant has contended that the interest is payable from the relevant date as contemplated under the Act.



Learned counsel for the appellant has also drawn the attention of the Court to Section 69(2) of the Act and has submitted that in addition to the market value of the land, interest at the rate of 12% is payable from the date of the award or from the date of taking possession of the land whichever is earlier.

32. The learned counsel for the appellant would submit that there is no delay on the part of the appellant in depositing or remitting the awarded amount, hence, there is no rhyme or reason for payment of interest beyond 12% which has already been paid.

33. On the other hand, learned counsel for the respondent would contend that vide judgment and order dated 30.01.2020, the authority had awarded interest only at the rate of 12%.

34. Learned counsel for the claimants/respondents would submit that proviso to Section 72 of the Act provides for interest at the rate of 15% in the event of delay in payment and in the present case, since there was a delay, proviso to Section 72 would come into play and the landowners/respondents were entitled to interest at the rate of 15% on the compensation amount.



35. Having considered the contentions of the learned counsel for the parties, it is abundantly clear that the appellant has not been negligent in depositing the awarded amount, nor has there been any delay on the part of the appellant in depositing the awarded compensation. Hence, the authority was justified in granting 12% interest and not 15% interest as is being claimed by the landowners/respondents. Thus, on this count, there is no error in the judgment and order dated 30.06.2025. The point for determination No.(iii), is, thus, answered accordingly.

36. In view of the aforesaid facts and circumstances, since the point for determination Nos.(i) and (ii) have been answered against the appellant and it has been found that the solatium amount is a different component other than the compensation amount of the land, and the LARRA has not committed any error in granting the solatium amount to the landowners/respondents and the point for determination No.(ii) is also answered against the appellant to the effect that the authority had rightly invoked the powers of review under Section 60(1)(f) of the Act, hence, the appeal Nos.181 & 182 of 2025 fail and deserve to be dismissed. The point for determination No.(iii) has also been answered to the effect that the claimants/landowners are



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not entitled to interest @15%, therefore, the First Appeal Nos.206 and 207 of 2025 also deserve to be dismissed.

37. Accordingly, all the appeals are dismissed.

38. Let the original records be transmitted to the court concerned.

(Siddhartha Sah, J.)
30.05.2026

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