IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CMPMO No. 312 of 2020

Date of Decision 07th August, 2020

Devi Lal ***…Petitioner***

Versus

G.M. NHPC ***….Respondent***

Coram

The Hon'ble Mr. Justice Vivek Singh Thakur, J.

Whether approved for reporting?[1]

For the Petitioner:	Mr. Avinash Jaryal, Advocate, through Video Conferencing.
For the Respondent:	Mr. Vijay Kumar Arora, Advocate through Video Conferencing.

Vivek Singh Thakur, J.(Oral)

Being aggrieved by order dated 14.3.2020, passed by National Lok Adalat in an application filed by petitioner for release of entire amount of compensation, deposited by respondent in Reference Court, Chamba, whereby only 25% of award amount has been ordered to be released in favour of

---

[1] ***Whether Reporters of Local Papers may be allowed to see the judgment? Yes***

petitioner, petitioner has approached this Court for release of entire amount of compensation.

2 It is undisputed that landed property of petitioner along with others was acquired and utilized by respondent for construction of Hydro Electric Project and being aggrieved by award passed by Land Acquisition Collector, land owners had preferred reference petitions under Section 18 of Land Acquisition Act before the District Judge, Chamba, where those were decided by a common judgment dated 3.5.2019, whereby amount of compensation was enhanced.

3 As evident from counter affidavit filed on behalf of respondent, the said judgment has been accepted by respondent and amount so enhanced vide said award has also been deposited by respondent in Reference Court. Petitioner had filed an application for release of amount falling in his share as per his entitlement and respondent had communicated no objection for release of said amount, but, said application was listed in National Lok Adalat on 14.3.2020, on which date, only 25% of award amount has been ordered to be released in favour of petitioner.

4 No reason has been assigned for not releasing the entire amount of compensation to petitioner, for which he is

legally entitled. Not only before the Reference Court as well as National Lok Adalat, but also in this Court, respondent has communicated its no objection for releasing of entire amount of compensation.

4 In aforesaid facts and circumstances, Reference Court is directed to release the entire amount of compensation, falling in share of petitioner for which he is entitled, along with up-to-date interest, in terms of final award by remitting the same in his bank account, details whereof shall be furnished by petitioner by filing an application before the Reference Court along with copy of this order.

Petition stands disposed of including all pending miscellaneous application(s), if any.

August 07, 2020 **(Vivek Singh Thakur)**
(ms) **Judge**