2025:HHC:37041

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA
CMPMO No.19 of 2023
Decided on 04th November, 2025

Pradeep Kumar

…Petitioner

Versus

The Land Acquisition Officer (SLAU) NHAI, Bilaspur and others

…Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge

[1]Whether approved for reporting?

For the petitioner: **Mr. Ashwani Kaundal, Advocate.**

For the respondent: **Mr. Pushpinder Jaswal, Additional Advocate General, for respondent No.1.**

Dr. Lalit Kumar Sharma, Advocate, for respondents No.2 to 8.

Ajay Mohan Goel, Judge *(Oral)*

By way of this petition, the petitioner has prayed for the following relief:-

> *"It is, therefore, respectfully prayed that the present petition may kindly be allowed and the impugned order dated 22.10.2022 may kindly be quashed and set aside and respondent No.1 may kindly be directed to make the payment of the compensation awarded on account of the land acquired comprising in Khata/Khatouni No.45/47 Khasra No.546 acquired for the construction of the Kiratpur-Ner Chowk Four Lane along with interest to the present petitioner."*

2. The petitioner is aggrieved by the order passed by the learned District Judge, Mandi, H.P., in Reference Petition preferred under Section 3-H(4) of the National Highway & Act, 1956, in terms whereof, while deciding Issue No.1, only respondents No.1 to 7 were held entitled for compensation qua Khasra Nos.679, 680 and 681 and the learned Court did not hold the present petitioner entitled on the ground that nothing was placed on record by the present petitioner to demonstrate that Khasra Nos. 679, 680 and 681 were converted into Khasra No.546.

3. As per the petitioner, on this point, the order passed by the learned Reference Court is bad for the reason that the right of the petitioner is well established from Annexure P-4 appended with the petition, which is the copy of Misal Hakiyat. On a query put to the learned counsel for the petitioner, he submitted that this document was not placed before the learned Reference Court.

4. In light of the fact that the document in issue on the strength whereof the petitioner is assailing the order passed by learned Reference Court was never placed before the learned

Reference Court, this Court is of the considered view that this Court cannot interfere with the said order as the petitioner would have been well advised to have sought a review of the order, if according to the petitioner there was some error apparent on the face of record.

5. With these observations, these proceedings are closed without interfering with the order under challenge.

(Ajay Mohan Goel)
Judge

November 04, 2025
(Vinod)