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

**RFA No. 183 of 2014**

**Date of decision: 04.11.2026**
**Date of uploading on website: 05.11.2026**

General Manager Northern Railway .....Appellant.

Versus

Mohinder Paul & others .....Respondents.

*Coram*
**The Hon'ble Mr. Justice Sushil Kukreja, Judge.**
[1] *Whether approved for reporting?*

For the appellant: Mr. Janak Raj, Central Government Counsel.

For respondents No. 1 to 4: Mr. Vipul Sharda, Advocate.

For respondents No. 5 & 6: Mr. Ankush Thakur, Deputy Advocate General.

**Sushil Kukreja, Judge.**

The instant appeal has been preferred by the appellant/General Manager Northern Railway, under Section 54 of the Land Acquisition Act, 1894 (for short "the Act") against award dated 31.05.2013, passed by learned Additional District Judge-II, Una, District Una, H.P. (hereinafter referred to as "the learned Reference Court"), in LAC Petition No. 36 of 2009, alongwith other matters,

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

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whereby the reference petitions filed by the petitioners/claimants therein, including the petitioners, i.e., S/Shri Mohinder Paul, Tarsem Lal Gurmeet Singh and Ram Paul (respondent2 No. 1 to 4 herein), were allowed.

2. The facts giving rise to the instant appeal are that the land of the petitioners and others was situated in village Kotla Khurd, Tehsil Una, District Una, H.P., and it was exclusively owned and possessed by the petitioners. The said land was acquired for the purpose of construction of Nangal-Talwara Railway Line. The Government of Himachal Pradesh-Department of Planning qua the acquisition of the aforesaid land in village Kotla Kalan issued a notification, dated 31.10.2000, under Section 4 of the Act for the purpose of construction of Nangal-Talwara Railway Line. Thereafter, notification under Section 6 of the Act was issued on 04.05.2001. Ultimately, award was passed by the Land Acquisition Collector on 13.09.2001, whereby the following assessment was made:

| **Sr. No.** | **Class of the land** | **Market rate per kanal** |
|---|---|---|
| 1. | Chahi | Rs.28,804.00 |
| 2. | Barani | Rs.21,562.00 |
| 3. | Barani doam, soam | Rs.14,400.00 |
| 4. | Banjar kadeem | Rs.246.00 |
| 5. | Kharkana | Rs.4,733.00 |
| 6. | Other gair mumkin | Rs.161.00 |

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| | | |
|---|---|---|
| 7. | Khraiter | Rs.246.00 |

2(a). The petitioners had received the compensation amount under protest and preferred petitions under Section 18 of the Act before the learned Reference Court. As per the petitioners, the acquired land was Chahi in nature and the same was wrongly and illegally valued as Barani and Banjar. The land was irrigated and a very less compensation was awarded by the Land Acquisition Collector. The petitioner averred that the acquired land had higher market value, therefore, the compensation amount deserves to be re-determined. The petitioners sought enhancement of the compensation amount by allowing their petitions.

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 petitioners/claimants (respondents No. 1 to 4 herein), and held them entitled to enhanced compensation of the acquired land @Rs.90,000/- per kanal, irrespective of classification of the acquired land alongwith all the statutory benefits.

4. Feeling aggrieved, the appellant/General Manager Northern Railway, preferred the instant appeal

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against the impugned award with a prayer to quash set-aside the impugned award.

5. I have heard the learned CGC for the appellant, learned counsel for respondents No. 1 to 4 (claimants), learned Deputy Advocate General for respondents No. 5 & 6/State and carefully examined the entire records.

6. Indisputably, similarly situated claimants, whose land was also acquired for construction of Nangal-Talwara Railway Line, 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 award dated 30.04.2011, whereby the learned Reference Court re-determined the market value of the entire land at the rate of Rs.90,000/- per kanal. The learned DSGI for the appellant/General Manager Northern Railway stated that against the impugned common award, dated 30.04.2011, the appellant had filed appeals before this Court and the same were decided on 26.07.2018, by a Co-ordinate Bench of this Court, by way of common judgment, lead case being ***RFA No. 35 of 2012 with Cross Objection No. 321 of 2013***,

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titled as ***General Manager, Northen Railway vs. Sidhu Ram & others.*** Learned DSGI for the appellant, learned counsel for respondents No. 1 to 4 (claimants) and learned Deputy Advocate General for respondents No. 5 and 6 are at *ad idem* to the fact that the instant appeal is squarely covered by the aforesaid decision rendered by the Co-ordinate Bench of this Court.

7. Hence, in view of what has been discussed hereinabove, the instant appeal is disposed of. The impugned award, dated 31.05.2013, is upheld and it is ordered that the directions contained in ***RFA No. 35 of 2012 with Cross Objection No. 321 of 2013,*** titled as ***General Manager, Northen Railway vs. Sidhu Ram & others,*** decided on 26.07.2018 (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**

**4th November, 2026**
*(virender)*

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