

**IN THE COURT OF P. C. RANA, DISTRICT JUDGE,
 DISTRICT KULLU, HIMACHAL PRADESH.**

(1)

CIS CNR No.	:	HPKU01-001027-2024.
PETITION NO.	:	04 OF 2024.
REGN. No.	:	42 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.
DATE OF INSTITUTION	:	20.04.2024.
DATE OF DECISION	:	30.07.2026.

1. Chaman Lal son of Shri Budh Ram;
 2. Sunder Lal son of Shri Budh Ram;
 3. Hem Raj son of Shri Budh Ram; and
 4. Smt. Kesri Devi wife of Shri Budh Ram;
- All residents of village and Post Office Burua, Tehsil
 Manali, District Kullu, H.P.Petitioners.

Versus

1. Union of India through Secretary Defense, New Delhi.
2. Chief Engineer, Project Yojak, C/o 56 APO, BRO. PIN
 931720, Manali (Solang), Tehsil Manali, District Kullu,
 H.P.
3. Land Acquisition Collector-cum-SDO (Civil), Manali,
 District Kullu, H.P.Respondents.

(2)

CIS CNR No.	:	HPKU01-001028-2024.
PETITION NO.	:	01 OF 2024.
REGN. No.	:	39 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.
DATE OF INSTITUTION	:	19.04.2024.

DATE OF DECISION	:	30.07.2026.
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Roop Chand since deceased through legal representatives:-

- a). Kamla Devi wife of Shri Roop Chand;
- b). Pritam Chand son of Shri Roop Chand;
- c). Udhishter son of Shri Roop Chand; and
- d). Jitendra daughter of Shri Roop Chand;

All residents of village and Post Office Burua, Tehsil Manali, District Kullu, H.P.

....Petitioner(s).

Versus

1. Union of India through Secretary Defense, New Delhi.
 2. Chief Engineer, Project Yojak, C/o 56 APO, BRO Pin 931720, Manali (Solang), Tehsil Manali, District Kullu, H.P.
 3. Land Acquisition Collector-cum-SDO (Civil), Manali, District Kullu, H.P.
-Respondents.

(3)

CIS CNR No.	:	HPKU01-001037-2024.
PETITION NO.	:	02 OF 2024.
REGN. No.	:	40 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.
DATE OF INSTITUTION	:	19.04.2024.
DATE OF DECISION	:	30.07.2026.

Puran Chand son of Shri Jhabe Ram, resident of village and Post Office Burua, Tehsil Manali, District Kullu, H.P.

....Petitioner.

Versus

1. Union of India through Secretary Defense, New Delhi.

2. Chief Engineer, Project Yojak, C/o 56 APO, BRO Pin 931720, Manali (Solang), Tehsil Manali, District Kullu, H.P.
3. Land Acquisition Collector-cum-SDO (Civil), Manali, District Kullu, H.P.Respondents.

(4)

CIS CNR No.	:	HPKU01-001035-2024.
PETITION NO.	:	05 OF 2024.
REGN. No.	:	43 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.
DATE OF INSTITUTION	:	20.04.2024.
DATE OF DECISION	:	30.07.2026.

1. Dropti Devi daughter of Smt. Kali Devi.
2. Gayatri Devi daughter of Smt. Kali Devi.
Both residents of village and Post Office Burua, Tehsil Manali, District Kullu, H.P.Petitioners.

Versus

1. Union of India through Secretary Defense, New Delhi.
2. Chief Engineer, Project Yojak, C/o 56 APO, BRO Pin 931720, Manali (Solang), Tehsil Manali, District Kullu, H.P.
3. Land Acquisition Collector-cum-SDO (Civil), Manali, District Kullu, H.P.Respondents.

(5)

CIS CNR No.	:	HPKU01-001024-2024.
PETITION NO.	:	06 OF 2024.
REGN. No.	:	44 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.

DATE OF INSTITUTION	:	22.04.2024.
DATE OF DECISION	:	30.07.2026.

Nanak Chand son of Shri Tikam Ram, resident of village and
 Post Office Burua, Tehsil Manali, District Kullu, H.P.

....Petitioner.

Versus

1. Union of India through Secretary Defense, New Delhi.
 2. Chief Engineer, Project Yojak, C/o 56 APO, BRO Pin 931720, Manali (Solang), Tehsil Manali, District Kullu, H.P.
 3. Land Acquisition Collector-cum-SDO (Civil), Manali, District Kullu, H.P.
-Respondents.

(6)

CIS CNR No.	:	HPKU01-001032-2024.
PETITION NO.	:	07 OF 2024.
REGN. No.	:	45 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.
DATE OF INSTITUTION	:	22.04.2024.
DATE OF DECISION	:	30.07.2026.

1. Kuram Dutt son of Shri Lot Ram.
2. Gautam son of Shri Lot Ram.

Both residents of village and Post Office Burua, Tehsil
 Manali, District Kullu, H.P.

....Petitioners.

Versus

1. Union of India through Secretary Defense, New Delhi.
2. Chief Engineer, Project Yojak, C/o 56 APO, BRO Pin 931720, Manali (Solang), Tehsil Manali, District Kullu, H.P.

3. Land Acquisition Collector-cum-SDO (Civil), Manali,
District Kullu, H.P.Respondents.

(7)

CIS CNR No.	:	HPKU01-001030-2024.
PETITION NO.	:	08 OF 2024.
REGN. No.	:	46 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.
DATE OF INSTITUTION	:	23.04.2024.
DATE OF DECISION	:	30.07.2026.

Samit Kumar son of Shri Raman Kumar, resident of
Aramgarh, Post Office Raison, Tehsil and District Kullu, H.P.

....Petitioner.

Versus

1. Union of India through Secretary Defense, New Delhi.
2. Chief Engineer, Project Yojak, C/o 56 APO, BRO Pin 931720, Manali (Solang), Tehsil Manali, District Kullu, H.P.
3. Land Acquisition Collector-cum-SDO (Civil), Manali,
District Kullu, H.P.Respondents.

(8)

CIS CNR No.	:	HPKU01-001029-2024.
PETITION NO.	:	09 OF 2024.
REGN. No.	:	47 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.
DATE OF INSTITUTION	:	23.04.2024.
DATE OF DECISION	:	30.07.2026.

1. Bhagat Ram son of Shri Bhir Dass.
 2. Jiwan Lal son of Shri Bhir Dass.
- Both residents of village and Post Office Burua, Tehsil
Manali, District Kullu, H.P.Petitioners.

Versus

1. Union of India through Secretary Defense, New Delhi.
2. Chief Engineer, Project Yojak, C/o 56 APO, BRO Pin
931720, Manali (Solang), Tehsil Manali, District Kullu,
H.P.
3. Land Acquisition Collector-cum-SDO (Civil), Manali,
District Kullu, H.P.Respondents.

(9)

CIS CNR No.	:	HPKU01-001026-2024.
PETITION NO.	:	10 OF 2024.
REGN. No.	:	48 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.
DATE OF INSTITUTION	:	24.04.2024.
DATE OF DECISION	:	30.07.2026.

1. Nirmala Devi wife of Shri Charan dass.
 2. Smt. Ritu Devi wife of Shri Dolu.
 3. Sunil son of Shri Charan Dass.
 4. Priti daughter of Shri Charan Dass.
 5. Dimple daughter of Shri Charan Dass.
 6. Chetna daughter of Shri Charan Dass.
 7. Kavita daughter of Shri Charan Dass.
 8. Sheetal daughter of Shri Charan Dass.
 9. Kareena daughter of Shri Charan Dass.
- All residents of village and Post Office Burua, Tehsil
Manali, District Kullu, H.P.Petitioners.

Versus

1. Union of India through Secretary Defense, New Delhi.
2. Chief Engineer, Project Yojak, C/o 56 APO, BRO Pin 931720, Manali (Solang), Tehsil Manali, District Kullu, H.P.
3. Land Acquisition Collector-cum-SDO (Civil), Manali, District Kullu, H.P.Respondents.

(10)

CIS CNR No.	:	HPKU01-001025-2024.
PETITION NO.	:	11 OF 2024.
REGN. No.	:	49 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.
DATE OF INSTITUTION	:	24.04.2024.
DATE OF DECISION	:	30.07.2026.

1. Uttam Chand son of Shri Manu.
2. Khem Raj son of Shri Hamir Dass.
3. Tedhi Singh son of Shri Hamir Dass
4. Smt. Mor Dassi wife of Shri Hamir Dass.
5. Rewat Ram son of Shri Bhag Chand
6. Ses Ram son of Shri Bhag Chand.
7. Hotam Ram son of Shri Nant Ram.
8. Chobi Devi wife of Shri Fateh Chand.
9. Pritam Singh son of Shri Fateh Chand.
10. Lal Chand son of Shri Fateh Chand.
11. Nirat Ram son of Shri Bodhu Ram.
12. Karam Chand son of Shri Bodhu Ram.
13. Nimu Devi wife of Shri Bodhu Ram.
14. Uttami Devi wife of Shri Boidhu Ram.

All residents of village and Post Office Burua, Tehsil Manali, District Kullu, H.P.Petitioners.

Versus

1. Union of India through Secretary Defense, New Delhi.
2. Chief Engineer, Project Yojak, C/o 56 APO, BRO Pin 931720, Manali (Solang), Tehsil Manali, District Kullu, H.P.
3. Land Acquisition Collector-cum-SDO (Civil), Manali, District Kullu, H.P.Respondents.

(11)

CIS CNR No.	:	HPKU01-001033-2024.
PETITION NO.	:	12 OF 2024.
REGN. No.	:	50 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.
DATE OF INSTITUTION	:	25.04.2024.
DATE OF DECISION	:	30.07.2026.

1. Nanak Chand son o f Shri Kushlu Ram.
 2. Surat Ram son of Shri Kushlu Ram.
 3. Maheshwar son of Shri Jhabe Ram.
 4. Hotam Ram son of Shri Kewlu.
 3. Bodh Raj son of Shri Tikam Ram.
 4. Balki Devi wife of Shri Tikam Ram.
- All residents of village and Post Office Burua, Tehsil Manali, District Kullu, H.P.Petitioners.

Versus

1. Union of India through Secretary Defense, New Delhi.
2. Chief Engineer, Project Yojak, C/o 56 APO, BRO Pin 931720, Manali (Solang), Tehsil Manali, District Kullu, H.P.
3. Land Acquisition Collector-cum-SDO (Civil), Manali, District Kullu, H.P.Respondents.

(12)

CIS CNR No.	:	HPKU01-001023-2024.
PETITION NO.	:	13 OF 2024.
REGN. No.	:	51 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.
DATE OF INSTITUTION	:	25.04.2024.
DATE OF DECISION	:	30.07.2026.

1. Ram Chand son of Shri Dolu.
2. Khub Ram son of Shri Dolu.
3. Kishan Chand son of Shri Dolu.

All residents of village and Post Office Burua, Tehsil
 Manali, District Kullu, H.P.Petitioners.

Versus

1. Union of India through Secretary Defense, New Delhi.
2. Chief Engineer, Project Yojak, C/o 56 APO, BRO Pin
 931720, Manali (Solang), Tehsil Manali, District Kullu,
 H.P.
3. Land Acquisition Collector-cum-SDO (Civil), Manali,
 District Kullu, H.P.Respondents.

(13)

CIS CNR No.	:	HPKU01-001019-2024.
PETITION NO.	:	16 OF 2024.
REGN. No.	:	54 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.
DATE OF INSTITUTION	:	27.04.2024.
DATE OF DECISION	:	30.07.2026.

Tehli Devi daughter of Shri Surat Ram, resident of village and
Post Office Burua, Tehsil Manali, District Kullu, H.P.

....Petitioner.

Versus

1. Union of India through Secretary Defense, New Delhi.
 2. Chief Engineer, Project Yojak, C/o 56 APO, BRO Pin 931720, Manali (Solang), Tehsil Manali, District Kullu, H.P.
 3. Land Acquisition Collector-cum-SDO (Civil), Manali, District Kullu, H.P.
-Respondents.

(14)

CIS CNR No.	:	HPKU01-001020-2024.
PETITION NO.	:	17 OF 2024.
REGN. No.	:	55 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.
DATE OF INSTITUTION	:	27.04.2024.
DATE OF DECISION	:	30.07.2026.

Chhaju Ram son of Shri Thakur Dass, resident of village and
Post Office Burua, Tehsil Manali, District Kullu, H.P.

....Petitioner.

Versus

1. Union of India through Secretary Defense, New Delhi.
 2. Chief Engineer, Project Yojak, C/o 56 APO, BRO Pin 931720, Manali (Solang), Tehsil Manali, District Kullu, H.P.
 3. Land Acquisition Collector-cum-SDO (Civil), Manali, District Kullu, H.P.
-Respondents.

(15)

CIS CNR No.	:	HPKU01-001021-2024.
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PETITION NO.	:	14 OF 2024.
REGN. No.	:	52 OF 2024.
DATE OF PRESENTATION	:	28.03.2024.
DATE OF INSTITUTION	:	26.04.2024.
DATE OF DECISION	:	30.07.2026.

Kewal Ram son of Shri Beli Ram, resident of village and Post Office Burua, Tehsil Manali, District Kullu, H.P.

....Petitioner.

Versus

1. Union of India through Secretary Defense, New Delhi.
 2. Chief Engineer, Project Yojak, C/o 56 APO, BRO Pin 931720, Manali (Solang), Tehsil Manali, District Kullu, H.P.
 3. Land Acquisition Collector-cum-SDO (Civil), Manali, District Kullu, H.P.
-Respondents.

**Reference Petitions under Section 64 of
 the Right to Fair Compensation,
 Transparency in Land Acquisition,
 Rehabilitation and Resettlement Act,
 2013.**

For Petitioners	:	Sh. Govinder Thakur, Advocate.
For respdts. No.1 & 2	:	Sh. Sudhir Bhatnagar, Advocate.
For respdt. No. 3	:	Sh. Kulbhushan Guatam, Id. DA.

AWARD :-

1. This Common Award shall dispose of 15 reference petitions bearing No. 04 of 2024 (Regn. No. 42 of 2024) titled

as 'Chaman Lal and Others vs. Union of India and Others'; No. 01 of 2024 (Regn. No. 39 of 2024) titled as 'Roop Chand (since deceased through LRs. vs. Union of India and Others'; No. 02 of 2024 (Regn. No. 40 of 2024) titled as 'Puran Chand vs. Union of India and Others'; No. 05 of 2024 (Regn. No. 43 of 2024) titled as 'Dropti Devi and Another vs. Union of India and Others'; No. 06 of 2024 (Regn. No. 44 of 2024) titled as 'Nanak Chand vs. Union of India and Others'; No. 07 of 2024 (Regn. No. 45 of 2024) titled as 'Kuram Dutt and Another vs. Union of India and Others'; No. 08 of 2024 (Regn. No. 46 of 2024) titled as 'Samit Kumar and Others vs. Union of India and Others'; No. 09 of 2024 (Regn. No. 47 of 2024) titled as 'Bhagat Ram and Another vs. Union of India and Others'; No. 10 of 2024 (Regn. No. 48 of 2024) titled as 'Nirmala Devi and Others vs. Union of India and Others'; No. 11 of 2024 (Regn. No. 49 of 2024) titled as 'Uttam Chand and Others vs. Union of India and Others'; No. 12 of 2024 (Regn. No. 50 of 2024) titled as 'Nanak Chand and Others vs. Union of India and Others'; No. 13 of 2024 (Regn. No. 51 of 2024) titled as 'Ram Chand and Others vs. Union of India and Others'; No. 16 of 2024 (Regn. No. 54 of 2024) titled as 'Tehli Devi vs. Union of India and Others'; and No. 17 of 2024 (Regn. No. 55 of 2024) titled as 'Chhaju Ram vs Union of India and Others'; and No. 14 of 2024 (Regn. No. 52 of 2024) titled as 'Kewal Ram vs. Union of India and Others', which have been sent to this Court by the Land Acquisition Collector-Cum-S.D.O. (Civil), Manali,

District Kullu, H.P., for consideration and determination and for payment of fair and adequate amount of compensation together with interest on the three component heads to the petitioners from the date of taking over the possession or notification, whichever is earlier, under “The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013” (hereinafter referred to as **‘the RFCTLARR Act, 2013’** for short), till the amount deposited of the acquired property and compulsory acquisition charges and any other benefit(s), for which, the petitioner(s) is / are entitled to under the Act.

2. It is pertinent to mention here that during the pendency of the reference petition(s) an application under Order I Rule 10 CPC read with Section 151 CPC for deletion / strike out respondent No. 2 “Commanding Officer, 70 RCC, GREF, village and Post Office Bahang, Tehsil Manali, District Kullu, H.P.” and addition of new respondent No. 2 “Chief Engineer, Project Yojak, C/o 56 APO, BRO, Pin 931720, Manali (Solang), Tehsil Manali, District Kullu, H.P.” has been filed on behalf of respondents No. 1 and 2 and the said application was allowed by this Court vide order dated 26.12.2024 and the name of respondent No. 2 was ordered to be corrected accordingly, which has been reflected, as such, in the head note of this Award.

3. All the aforesaid reference petitions except reference petition No. 14 of 2024 (Regn. No. 52 of 2024) titled

as 'Kewal Ram versus Union of India and Others' were consolidated vide order dated 18.10.2025 passed in an application filed under Section 151 CPC, in this behalf, with lead / main petition of case file bearing No. 04 of 2024 (Regn. No. 42 of 2024) titled as 'Chaman Lal and Others vs. Union of India and Others' for the purposes of recording evidence etc. Whereas the reference petition No. 14 of 2024 (Regn. No. 52 of 2024) titled as 'Kewal Ram versus Union of India and Others' was consolidated with lead / main petition of case file bearing No. 04 of 2024 (Regn. No. 42 of 2024) titled as 'Chaman Lal and Others vs. Union of India and Others' vide order dated 09.07.2026 passed in separate application filed in this behalf under Section 151 CPC for the purpose, after issues have been framed and statement of one witness recorded on behalf of petitioner. Therefore, reference to the factual matrix, which have led to the filing of these petitions, are drawn from this petition.

4. It is pleaded in the petition that vide notification No. Rev-D(G)7-1/2019 Vol-II dated 06.06.2022, under Section 11 read with Section 40(2) of the RFCTLARR Act, 2013, published in official gazette, the Government of Himachal Pradesh notified for the acquisition of land of the petitioner(s) and others, situated in Muhal(s) Burua Majhach, Phati Burua, Tehsil Manali, District Kullu, H.P., for the construction of Palchan Bye Pass Road. Preliminary notification under Section 11 of the RFCTLARR Act, 2013, has also been issued

by the Government on 07.06.2022 and after completion of procedural formalities, respondent No. 1 issued notices to the interested persons and the petitioner(s) and others, filed 'Objections' regarding the value of land, but the respondent No. 1, without considering the objections of the petitioner(s) and others, gave **Award No. 12/2023 dated 30.12.2023**, of Muhal Burua Majach, Tehsil Manali, District Kullu, H.P., behind the back and in the absence of petitioner(s) and no notice under Section 37(2) of the RFCTLARR Act, 2013, has been served upon the petitioner(s) and the petitioner(s) came to know about the Award on 10.02.2024 and the petitioner(s) came to know about the Award under Section 30 of the RFCTLARR Act, 2013, and as such the petitioner(s) is / are filing the present reference petition(s) within the period of limitation from the date of knowledge of the Award.

5. As per the revenue record, the land of the petitioner(s) is situated in Muhal and Phati Burua, Tehsil Manali, District Kullu, H.P., but the Collector Land Acquisition has wrongly mentioned the acquired land in Burua Majach, Tehsil Manali, District Kullu, H.P. The petitioner(s), feeling aggrieved by and dissatisfied with the impugned Award, has / have preferred the present reference petition(s) and prayed that a reference may be made to the Authority for determining the following disputes and for payment of fair and adequate amount of compensation on the grounds that impugned award

is too much low, inadequate and unreasonable, as such, liable to be modified and enhanced.

6. It is pleaded that the land of the petitioner(s) situated at Muhal Burua Majach, Tehsil Manali, District Kullu, H.P., which has been acquired, but the value of the acquired land has not been properly assessed by the respondent, as the value of the acquired land of the petitioner(s) is not less than ₹25,000/- (Rupees Twenty Five Thousand) per square meter. Hence, the petitioner(s) are claiming compensation at the rate of ₹25,000/- (Rupees Twenty Five Thousand) per square meter of the acquired land from the respondents. Further, the acquired land is situated in Muhal Burua Majach, Tehsil Manali, District Kullu, H.P., on Palchan Bye Pass Road and adjoining to Manali Solang Road, the big market centre area and tourist hub of Himachal Pradesh and locality and its adjoining / surrounding area has acquired great importance for tourist activities and has got the potentiality of commercial buildings, such as guest houses and is fast growing for commercial and tourist activity and is the best land for orchards and for growing the commercial vegetables crops, but the market value of the acquired property at the time of notification under Section 11 of the RFCTLARR Act, 2013, was not less than ₹25,000/- (Rupees Twenty Five Thousand) per square meter, but while assessing the market value, the learned Land Acquisition Collector has ignored all these factors and has assessed the market value of the land at a

very low price, as such, the petitioner(s) is / are claiming ₹25,000/- (Rupees Twenty Five Thousand) per square meter as compensation of the acquired land.

7. Further, the the land of the petitioner(s) was acquired by the respondents, but the respondent has not given any award under Section 31 of the RFCTLARR Act, 2013 for the rehabilitation and the resettlement of the petitioner(s). The respondent No. 1 has not properly assessed the value of the acquired land and the Award made by the Collector is too much low and inadequate.

8. The respondents have not paid any compensation or given any benefit under Section 69(2) of the RFCTLARR Act, 2013 to the petitioner(s) on the value of entire acquired property, which should have been assessed and awarded in favour of petitioner(s), as such, the petitioner(s) is / are entitled for the said benefit of Section 69 (2) of the Act on the whole market value of the acquired property as well as on compulsory acquisition charges.

9. Further no interest under Section 80 of the RFCTLARR Act, 2013 on the value / compensation of the acquired property, compulsory acquisition charges, has been awarded and as such, the petitioner(s) is / are entitled for interest on the aforesaid three component heads from the date of notification under Section 11 of the RFCTLARR Act, 2013, till realization of the amount and prayed that the

petition(s) be allowed and fair, adequate and enhanced amount of compensation be granted to the petitioner(s).

10. The respondents No. 1 and 2 filed reply, wherein 'preliminary objections' qua locus-standi, cause of action and maintainability, have been taken. It is submitted that vide notification under Section 11 read with Section 40(2) of the RFCTLARR Act, 2013, the government of Himachal Pradesh notified for the acquisition of land etc. of the petitioner(s) and others, situated in Muhal Burua, Tehsil Manali, District Kullu, H.P., for the construction of National Highway Double lane Palchan Bye Pass Road, which is being constructed to avoid choking of traffic at Palchan and Solang, essentially needed as being project of high strategic importance. It is specifically denied that the petitioner(s) came to know about the Award on 10.01.2024 and that the Award was passed behind the back of the petitioner(s) without considering the objections of the petitioner(s) without giving any notice. The petitioner(s) was / were having full knowledge of the Award and the petitioner(s) did not opt to file objections and the notices were duly received by the petitioner(s), but the petitioner(s) and other land holders deliberately opted to remain absent on the date of Award. It is submitted that a fair and adequate compensation has been awarded in favour of petitioner(s) after assessing the highest value of land, trees etc. and the respondents No. 1 and 2 have deposited the amount, whatever was assessed by the Collector Land Acquisition.

11. It is submitted that a fair and adequate compensation has been awarded after assessing the actual and highest value of land, trees etc. and the said Award needs no modification. The respondents No. 1 and 2 have deposited the award amount without any delay as per the assessment made by the Land Acquisition Collector on the applicable rates. Further, the respondents No. 1 and 2 have acquired only the bare minimum land, required for the project of High Strategic importance of the security of border areas. It is denied that the value of the acquired land is not less than ₹25,000/- per square meter and fair and adequate compensation has been assessed by the Land Revenue Collector. It is specifically denied that the land is adjoining to Manali Solang Road and is big market centre of the area and for growing commercial vegetable crops. It is absolutely denied that the market value of the acquired land at the time of notification under Section 11 of the RFCTLARR Act, 2013 was not less than ₹25,000/- square meter and all these factors have been ignored by the learned Land Acquisition Collector. However, it is submitted that the Land Acquisition Collector had taken into consideration all material factors as well as the market value, while assessing the value of land and a fair, reasonable and adequate compensation has been awarded. Moreover, the land of petitioner(s) has become more valuable by the construction of Bye Pass road as the same is abutting National Highway, which definitely would

make it more valuable and petitioner(s) can build shops or hotels or any other commercial activity on the remaining land, as it is always to the benefit of land owners, whose land is abutting the National Highways, as they are often seen flourishing. Further, only small piece of land has been acquired from the land of the petitioner(s) and there was no displacement of any kind in the acquisition of the land in question. It is submitted that the learned Land Acquisition Collector has properly assessed the value of the acquired land by taking into consideration all the relevant factors and has determined the market value impartially, fairly and uniformly.

12. It is denied that the respondents have not paid any compensation or any benefit under Section 69(2) of the RFCTLARR Act, 2013 and in para No. 10 of the Award, there is mention of payment of 12% additional amount on the market value assessed commencing from the date of publication to the date of Award. Further, it is submitted that the interest under Section 80 is not payable as the possession was taken by respondents No. 1 and 2 only after depositing the entire compensation amount with the District Collector. The petitioner(s) is / are not entitled to any relief claimed as fair, just and adequate amount of the compensation as assessed and awarded by the respondent No. 2, has been paid by respondents No. 1 and 2. Prayed that the petition(s) be dismissed.

13. No separate reply has been filed on behalf of respondent No. 3 to the petition(s) so filed by the petitioner(s).

14. In a rejoinder filed on behalf of the petitioner(s) to the reply filed by respondents No. 1 and 2, the allegations made in the reply are controverted and averments made in the petition(s) are reasserted. It is submitted that the land of the petitioner(s) was agricultural and horticultural / commercial, but no proper and adequate compensation has been given to the petitioner(s) for acquisition of the property. Further, the compensation amount has been received by the petitioner(s) through e-payment and in case the compensation is received through bank transfer, therefore, the question of receiving the compensation 'Under Protest' does not arise at all. In fact the petitioner(s) had raised objections qua the schedule rate for assessment and the amount of compensation so awarded.

15. Out of the pleadings of the parties, the following issues were framed for determination in this case by this Court on 30.12.2025 in the main / lead petition No. 04 of 2024 (Regn. No. 42 of 2024) titled as 'Chaman Lal and Others vs. Union of India and Others':-

1. Whether the petitioners are entitled for enhancement of award? OPP.

2. Whether the award so passed by learned Collector is not sustainable in the eyes of law? OPP.
3. Whether the present reference petition is not maintainable and competent in the present form, as alleged? OPR.
4. Relief.

16. Both the parties were given due opportunities for leading evidence in order prove their respective claim. Both the parties led evidence in the case.

17. After the framing of issues in reference petition No. 14 of 2024 (Regn. No. 52 of 2024) titled as 'Kewal Ram vs. Union of India and Others' and leading evidence in the case, the said reference petition was consolidated with main / lead reference petition No. 04 of 2024 (Regn. No. 42 of 2024) titled as 'Chaman Lal and Others vs. Union of India and Others', vide order 09.07.2026 in order to avoid duplication of proceedings. Hence, the issues framed vide order dated 21.02.2026 in reference petition No. 14 of 2024 (Regn. No. 52 of 2024) titled as 'Kewal Ram vs. Union of India and Others' are numbered as serial No. 4, 5 and 6 for determination of findings.

18. I have heard learned counsels for the parties and have also carefully perused the record.

19. For the reasons to be recorded hereinafter while discussing the aforesaid issues, my findings are as under:-

Issue No. 1	:	Yes.
Issue No. 2	:	Yes.
Issue No. 3	:	No.
Relief.	:	The petition(s) of the petitioner(s) is / are allowed as per operative part of this award.

REASONS FOR FINDINGS

EVIDENCE IN BRIEF:-

20. The petitioner(s) in order to prove its case examined PW-2 Bharti Sharma, Kanungo of the office of Assistant Settlement Officer and stated that prior to settlement Burua was one Phati and after settlement in the year 2024-25, three Muhals, namely, Burua, Burua-Majhach and Majhach have been created. She further stated that as per notification Ext. PW-1/D, the Khasra numbers mentioned in Muhal Burua Majhach are situated in Phati Burua as per their record as Muhal Burua Majhach is created in the year 2024-25 after completion of settlement and prior to that the land shown in red circle was part of Phati Burua and the circle rate of the land in Phati Burua was similar to that of Muhal Burua and Muhal Burua Majhach.

21. In cross-examination conducted on behalf of respondents No. 1 and 2, she stated that she has brought the

complete record uptill 2024-2025, one copy of which is with the Patwari and as per the record brought by her, the mutation of acquired numbers has not been attested in favour of Central Government. Stated that settlement in Manali started in the year 1995 and completed in the year 2024-2025.

22. This witness was not cross-examined by learned District Attorney on behalf of respondent No. 3 and has adopted the cross-examination conducted on behalf of respondents No. 1 and 2.

23. Petitioner No. 1 (Chaman Lal) appeared as PW-1 and tendered his sworn affidavit Ext. PW-1/A in his examination-in-chief, wherein the averments made in the petition(s) have been reiterated, as such, the contents of the affidavit are not reproduced here for the sake of brevity. He also tendered on record copy of Award No. 12/23 Ext. PW-1/B, copy of Award No. 13/23 dated 30.12.2023 Ext. PW-1/C of Muhal Burua, copy of notification under Section 11 dated 06.06.2022 Ext. PW-1/D, copy of calculation statement / detail of land Ext. PW-1/E, copy of sale deed No. 834 dated 30.11.2016 Ext. PW-1/F, copy of sale deed No. 277 dated 10.04.2019 Ext. PW-1/G, copy of sale deed No. 314 dated 25.05.2017 Ext. PW-1/H, copy of sale deed No. 394 dated 05.07.2017 Ext. PW-1/J, copy of sale deed No. 237 dated 06.03.2018 Ext. PW-1/K (all documents objected to on the ground of mode of proof).

24. In his cross-examination, conducted on behalf of the respondents No. 1 and 2, he stated that his 16-17 biswas land was acquired. Self stated that total five bighas of land was acquired from the joint account. He has not mentioned in his affidavit about his entire acquired land. Stated that their entire Khata was acquired. His land is situated at a distance of about 500 meters ($\frac{1}{2}$ KM) from river Beas. Their land is situated adjoining to Army Transit Camp from Burua upto Solang Nullah. Earlier there was road of HPPWD and Bye Pass road is also adjoining, which is under construction. The land of Megh Nath is situated at a distance of one Kilometer from the acquired land which is adjacent to river in village Burua. The land of Monika Mehan is also situated in village Burua, which is at a distance of 500 meters ($\frac{1}{2}$ KM) away from their acquired land. The land of Bhagat Ram is also in village Burua, situated adjacent to Palchan. The land of Chaman and Manorma is adjacent to his plot. He denied the suggestions that all the sale deeds are pertaining to the period after the notification for acquisition of the land and have been executed to obtain compensation or that by construction of four lane, the commercial value of the area increases. Self stated that the value of their acquired land was already better. He could not recollect that they were called by the LAO before passing the Award. He denied the suggestions that the LAO has passed the Award correctly after taking into consideration the market value or that their

land was stony and barren without any use or that they have received more compensation than that of actual rate or that they had full knowledge of the passing of Award or that in their area the rate of land is not less than ₹25,000/- per square meter. He further denied the suggestions that the LAO has taken into consideration all the factors while passing the Award or that he with a view to obtain excess compensation is deposing falsely.

25. This witness was also not cross-examined by the learned District Attorney on behalf of respondent No. 3, however, adopted the cross-examination conducted on behalf of respondents No. 1 and 2.

26. On behalf of respondents No. 1 and 2, Shri Lesh Raj Patwari, Patwar Circle Burua, Tehsil Manali, District Kullu, H.P., appeared as RW-1 along with record and tendered in evidence notification dated 06.06.2022 Ext. RW-1/A, notification dated 27.03.2023 Ext. RW-1/B, corrigendum dated 07.09.2024 Ext. RW-1/C, letter dated 20.09.2024 Ext. RW-1/D, letter dated 19.09.2024 Ext. RW-1/E, copy of Award dated 30.12.2023 Ext. RW-1/F, copy of objections received on 18.07.2022 Ext. RW-1/G, letter dated 03.08.2022 Ext. RW-1/H.

27. In his cross-examination on behalf of petitioner(s) he stated that he has seen the acquired land which is situated from Hotel Highland Park upto Army Transit Camp Burua. He agreed that the acquired land starts from a distance of 5 Kms.

from Manali Bazaar upto Army Transit Camp Burua and about 100 of hotels and cottages are constructed adjacent to the acquired land and that commercial activities are rapidly increasing in Phati Burua and tourism units are being constructed. He further agreed that the acquired land is situated in between Manali Town and Solang Nullah and that price of land is raising very fast in the said area. He feigned ignorance whether at the time of acquisition the price of acquired land was ₹20,00,000/- per biswa. He agreed that as per sale deed No. 717 dated 24.09.2019 the transaction of land measuring 00-01-52 hectare was completed for consideration of ₹70,00,000/-, per square meter rate of which comes to ₹46,053/- and as per sale deed No. 383 dated 29.12.2020, the transaction of land measuring 00-48-80 hectare was completed for consideration of rupees one crore, per square meter of which comes to ₹20,833/-. He agreed that the payment of the compensation amount qua the acquired land was made to the land owners through bank transfer. He denied that the land owners were not paid appropriate compensation as per the market value. He agreed that in Muhal Burua there are four 3-4 stars hotels. He could not tell that at present the price of acquired land is about ₹40,00,000/- per biswa. He agreed that prior to this acquisition, 376 bighas of land in Phati Burua has been acquired for construction of Army Transit Camp. He could not tell that the land of petitioner(s) was also acquired for the

construction of Army Transit Camp. He admitted that the land owners had filed objections before respondent No. 3 qua the price of land and other facilities, however, denied that respondent No. 3 has not taken into consideration the objections raised by the petitioner(s). He denied the suggestions that land owners have been paid very less compensation or that the land owners have not been paid the compensation qua fruit bearing and non-fruit bearing trees or that he being employee of respondent No. 3 is deposing falsely.

28. This witness has not been cross-examined on behalf of respondent No. 3.

29. Thereafter, learned counsel for respondents No. 1 and 2 as per his separate statement on record has closed the evidence on behalf of respondents No. 1 and 2.

30. No evidence has been led on behalf of respondent No. 3 despite affording opportunities in this regard and the evidence of respondent No. 3 stood closed by Court order dated 12.06.2026.

31. This is the entire evidence led by the parties on the record.

ISSUES NOs. 1, 2 AND 3:-

32. All these issues are taken up together for determination being interlinked and interconnected, for sake

of brevity and convenience, in order to avoid repetition of evidence and prolixity.

33. As per the case of the petitioners, respondent / LAO passed Award No. 12/ 2023/ Muhal Burua Majhach/ Palcan Bypass dated 30.12.2023 whereby compensation was assessed and awarded for land measuring 02-00-16 Hectares acquired in pursuance to Notification dated 06.06.2022 issued under Section 11 read with Section 40(2) of 'the RFCTLARR Act, 2013'. Whereas, the respondents in their reply have not specifically mentioned about said award No.12, dated 30.12.2023, however, they have examined Les Raj as RW-1, Patwari of Patwar Circle Burua, who has produced and proved copy of Award No.13 of 2023 dated 30.12.2023 as RW-1/F pertaining Muhal Burau and not pertaining to Muhal Burua Majhach, whereby compensation was assessed and awarded pertaining to land measuring 06-10-14 hectares acquired under Notification dated 06.06.2022 issued under Section 11 read with Section 40(2) of the RFCTLARR Act, 2013. Thus, the respondents have not led any evidence to prove the Award No. 12 dated 30.12.2023 pertaining to Muhal Burua Majhach on record.

34. As per the statement made by PW-2 (Bharti Sharma), Kanungo / Record Keeper from the office of Assistant Settlement Officer, Kullu, the settlement operation started in Phati Burua in the year 1995 and concluded in the year 2024-2025 and prior to the completion of settlement

operation, there was common circle rate applicable to land situated in Phati Burua, which also includes the land situated in now Muhal Burua, Burua Majhach and Majhach and after the settlement, three Muhals were created from Muhal Burua, Phati Burua as Burua, Burua Majhach and Majhach. The aforesaid facts are not disputed by respondents. If that was the factual position regarding the land and common circle rate applicable to the land situated in Phati Burua, the assessment of the compensation of the land of petitioners and others, acquired for the purpose of construction of Palchan Bye Pass Road, by taking into consideration separate sale deeds recorded in separate Muhals, even when the settlement operation was still pending, is not justifiable.

35. Further, assessment of the compensation has been made at different rates, despite being the fact that land situated in same Phati, though now situated in different Muhals, after settlement operation, has been acquired for single and common purpose. In Award No. 12/2023 with respect to Muhal Burua Majhach Ext. PW-1/B, sale deeds for the period 06.06.2019 to 05.06.2022, the period of three years as per provisions of Section 26(1)(a) and (b) read with Explanation (I) and Explanation (II) appended to said Section were taken into consideration and only four sale deeds were found registered during this period, which is due to the fact that this Muhal Burua Majhach was recently created and when the notification under Section 11 of the Act was issued

on 06.06.2022, said Muhal was not in existence, but was part of Phati Burua.

36. Similarly, in Award No. 13/2023 with respect to Muhal Burua Majhach Ext. PW-1/C, 18 sale deeds for the period 06.06.2019 to 05.06.2022, were found registered during this period, out of which, top nine sale deeds were taken into consideration for the calculation of market value of the land.

37. Perusal of para No. 8 of Award No. 12/2023 Ext. PW-1/B of Muhal Burua Majhach reveals that only four sale deeds were found registered with Sub-Registrar, Manali from 06.06.2019 to 05.06.2022, as also mentioned in Annexure-III and perusal of the said list reveals that per square meter value of the land is less than ₹1795/-, which is on lower side and is even lower than the value assessed by the LAC. Hence, the same cannot be taken into consideration and the 18 sale deeds so found registered during the same period, as also mentioned in Award No. 13/2023 Ext. PW-1/C of Muhal Burua, out of which top half, i.e., nine (09) sale deeds in view of Explanation-2 appended to Section 26 of the Act are required to be taken into consideration as the same circle rate so applicable to the land situated in Muhals Burua, Burua Majhach and Majhach, prior to settlement operation concluded in the area in the year 2024-2025.

38. Further, in Award No. 12/2023 dated 30.12.2023, Ext. PW-1/B, the market value of the acquired land in Muhal

Burua Majhach was assessed at the rate of **₹1,831/- per square meter**, whereas in Award No. 13/2023 dated 30.12.2023 Ext. PW-1/C, the market value of the acquired land situated in Muhal Burua is assessed **at the rate of ₹8,681/- per square meter**, as compared to ₹1831/- assessed in Award No. 12/2023.

39. Both, i.e., Award No. 12/2023 Ext. PW-1/B as well as Award No. 13/2023 Ext. PW-1/C have been passed on the same date, i.e., 30.12.2023, though for the land so acquired now in different Muhals, i.e., Burua Majhach and Burua, respectively. However, as already observed by this Court and also stated by PW-2 (Bharti Sharma) Kanungo that prior to settlement, there was only one Phati, namely, Phati Burua in which the land of all three Muhals i.e. Burua, Burua Majhach and Majhach was included and after the completion of settlement in the year 2024-2025, three Muhals, i.e., Burua, Burua Majhach and Majhach, have been created from Phati Burua. Thus, the market value so assessed by the Land Acquisition Collector, at the rate of ₹8,681/- per square meter in Award No. 13/2023 dated 30.12.2023, is also required to be taken into consideration and made applicable to assess the amount of compensation with respect to the acquired land under Award No.12 of 2023 dated 30.12.2023, pertaining to land situated in Muhal Burua Majhach, as applicable to the instant case. Thus, in view of the aforesaid discussion, the compensation so awarded to the petitioners for their land so

acquired under notification dated 06.06.2022, situated in Muhal Burua Majhach at the rate of ₹1,831/- per square meter, is not tenable in the eyes of law and is very low, as compared to compensation awarded under Award No.13/2023 dated 30.12.2023.

40. In view of the foregoing discussion, the compensation so calculated in Award No. 12/2023 dated 30.12.2023 is found to be deficient and inadequate, and not sustainable in the eyes of law and the petitioner(s) is/are entitled for enhancement of the award. Accordingly, issues No. 1 and 2 are decided in the affirmative and in favour of petitioner(s) and against the respondents, while issue No. 3 is decided in the negative and against the respondents.

RELIEF:-

41. In view of the finding as above, the present reference petition is partly allowed with no order as to costs and the petitioners is/are held entitled for the compensation to be re-calculated/worked out @ **₹8,681/- per square meter**, qua their respective land so acquired by the respondents.

42. Besides this, the petitioner(s) is/are also entitled to all other statutory benefits available under the RFCTLARR Act, 2013, i.e., Solatium under Section 30(1); additional compensation under Section 30(3); interest under Section 80 with respect to deficient amount, at the rate of 9% per annum, if not deposited within one year and thereafter, at the rate of 15% per annum. However, the amount of compensation,

already paid, shall be adjusted towards the amount of compensation. Reference is accordingly answered.

43. An authenticated copy of this award shall be placed on the records of each of the connected reference petitions bearing No. No. 01 of 2024 (Regn. No. 39 of 2024) titled as 'Roop Chand (since deceased through LRs. vs. Union of India and Others'; No. 02 of 2024 (Regn. No. 40 of 2024) titled as 'Puran Chand vs. Union of India and Others'; No. 05 of 2024 (Regn. No. 43 of 2024) titled as 'Dropti Devi and Another vs. Union of India and Others'; No. 06 of 2024 (Regn. No. 44 of 2024) titled as 'Nanak Chand vs. Union of India and Others'; No. 07 of 2024 (Regn. No. 45 of 2024) titled as 'Kuram Dutt and Another vs. Union of India and Others'; No. 08 of 2024 (Regn. No. 46 of 2024) titled as 'Samit Kumar and Others vs. Union of India and Others'; No. 09 of 2024 (Regn. No. 47 of 2024) titled as 'Bhagat Ram and Another vs. Union of India and Others'; No. 10 of 2024 (Regn. No. 48 of 2024) titled as 'Nirmala Devi and Others vs. Union of India and Others'; No. 11 of 2024 (Regn. No. 49 of 2024) titled as 'Uttam Chand and Others vs. Union of India and Others'; No. 12 of 2024 (Regn. No. 50 of 2024) titled as 'Nanak Chand and Others vs. Union of India and Others'; No. 13 of 2024 (Regn. No. 51 of 2024) titled as 'Ram Chand and Others vs. Union of India and Others'; No. 16 of 2024 (Regn. No. 54 of 2024) titled as 'Tehli Devi vs. Union of India and Others'; and No. 17 of 2024 (Regn. No. 55 of 2024) titled as

‘Chhaju Ram vs Union of India and Others’; and No. 14 of 2024 (Regn. No. 52 of 2024) titled as ‘Kewal Ram vs. Union of India and Others’.

44. Memo of costs be prepared, accordingly. File, after completion, be consigned to Record Room.

Announced and signed in the open court today on this 30th day of July, 2026.

Sd/-

(P. C. Rana)

District Judge, Kullu,

District Kullu, H.P.

S*

LIST OF WITNESSES.

Rank. 1.	Name of witness. 2.	Nature of Evidence. 3.
Petitioner		
PW-1	Shri Chaman Lal.	Witness of petitioners.
PW-2	Smt. Bharti Sharma.	Witness of petitioners.
Respondents		
RW-1	Shri Les Raj.	Witness of respondents.

LIST OF EXHIBITS

Sr. No. 1.	Date of Exhibit 2.	Description of Exhibit. 3.
Petitioner		
Ext. PW-1/A.	02.03.2026.	Affidavit of petitioner PW-1 (Chaman Lal).
Ext. PW-1/B.	02.03.2026.	Copy of Award No. 12 of 2023 dated 30.12.2023.
Ext. PW-1/C.	02.03.2026.	Copy of Award No. 13 of 2023 dated 30.12.2023.
Ext. PW-1/D.	02.03.2026.	Copy of Notification dated 06.06.2022.
Ext. PW-1/E.	02.03.2026.	Copy of Calculation Statement.
Ext. PW-1/F.	02.03.2026.	Copy of sale deed No. 834 dated 30.11.2016.

Ext. PW-1/G.	02.03.2026.	Copy of sale deed No. 277 dated 10.04.2019.
Ext. PW-1/H.	02.03.2026.	Copy of sale deed No. 314 dated 25.05.2017.
Ext. PW-1/J.	02.03.2026.	Copy of sale deed No. 394 dated 04.07.2017.
Ext. PW-1/K.	02.03.2026.	Copy of sale deed No. 237 dated 06.03.2018.
Respondent		
Ext. RW-1/A.	12.06.2026.	Copy of notification dated 06.06.2022.
Ext. RW-1/B.	12.06.2026.	Copy of notification dated 27.03.2023.
Ext. RW-1/C.	12.06.2026.	Copy of letter No. 2297/OK dated 07.09.2024.
Ext. RW-1/D.	12.06.2026.	Copy of letter No.Rev-D (G) 7-1/2019-Vol-II dated 20.09.2024.
Ext. RW-1/E.	12.06.2026.	Copy of letter No. 1301/ Gen/Court Case/40/E1C dated 19.09.2024.
Ext. RW-1/F.	12.06.2026.	Copy of Award No. 13/2023 dated 30.12.2023.
Ext. RW-1/G.	12.06.2026.	Copy of letter received on 18.07.2022.
Ext. RW-1/H.	12.06.2026.	Copy of letter No. 1828/ DRA dated 03.08.2022.

Sd/-
(P. C. Rana)
 District Judge, Kullu,
 District Kullu, H.P.