

CIS No.25 of 2024 Beli Ram & Ors. Versus LAC & Ors.

28.07.2026

Present: Sh. Maheshwar Rana, Ld. Advocate for petitioners.

Sh. Anuj Sharma, Ld. Dy. DA for respondents.

Heard. Record perused. As per report of Ahlmad there is no stay order received in the matter from Hon'ble Appellate Court.

2. By way of this petition, the petitioners have applied for payment as per order of Hon'ble High Court of H.P. passed in RFA No.346 of 2015 decided on 01.08.2018.

3. As per record land of the petitioners was acquired for construction of Purohadhar Road by the respondents in Phati Diyar, Kothi Kotkandi, Tehsil Bhuntar, District Kullu, H.P. Against the award passed by Land Acquisition Collector for acquired land, petitioners had filed a reference petition under Section 18 of Land Acquisition Act for enhancement which was registered as petition No.130 of 2014 (2013) before this Court and decided on 03.03.2015. Vide this award petitioners were held entitled for compensation of the acquired land @ of ₹14,666/- per bishwa along with all statutory benefits under Section 23 (1-A) of the land acquisition Act as under:-

- i. Compulsory acquisition charges (solatium) at the rate of 30% on the enhanced amount of market value.
- ii. Additional Compulsory acquisition charges under Section 23(I-A) of the Act at the rate of 12% per annum on the enhanced market value of the land from the date of notification under Section 4 of the Act, i.e. 08.06.2005 till the date of award.
- iii. Interest payable at the rate of 9% per annum for one

year from the date of notification under Section 4 of the Act on the enhanced amount of compensation of the market value and on the amount of column No.1 and 2.

iv. Thereafter till the date of deposit interest at the rate of 15% per annum on the enhanced rate of market value and on the amount of column No.1 and 2.

4. Petitioners had filed RFA No.346 of 2015 against the order of this Court dated 03.03.2015 and same was decided by Hon'ble High Court of H.P. on 01.08.2018 and compensation was enhanced from ₹14,666/- per bishwa to ₹4,00,000/- per bigha (₹20,000/- per bishwa) and remaining portion of the award was ordered to operate as such.

5. As per the petition, respondents have deposited the part amount of compensation and an amount of ₹6,32,331/- till 17.04.2024 is due against the respondents in terms of order dated 01.08.2018 passed by Hon'ble High Court of H.P. With these averments prayer for allowing the petition was made. Petitioners had annexed calculation sheet with petition.

6. Respondents had disputed the calculation sheet and had filed separate calculation sheet.

7. I have given thoughtful consideration to rival contentions of parties and have perused record carefully.

8. There is no dispute regarding the compensation enhanced to ₹20,000/- per biswa (₹4,00,000/- per bigha) of the acquired land by Hon'ble High Court of H.P. As per petitioners a sum of ₹6,32,331/- is due against the respondents as on 17.04.2024 whereas as per calculation sheet filed by respondents nothing is due in favour of petitioners.

9. As per calculation sheet filed, respondents had

deposited ₹10,13,434/- on 31.05.2015 in terms of award passed by this Court dated 03.03.2015 .

10. Respondents had deposited ₹8,36,352/- before Hon'ble High Court of H.P. on 25.03.2022 in terms of enhanced compensation @ of ₹5,334/- (₹20,000-₹14,666= ₹5,334) as compensation had been enhanced to ₹20,000/- per biswa (₹4,00,000/- per bigha) from ₹14,666/- per biswa. The respondents had deposited ₹1,31,175/- on 29.10.2025 before this Court on account of deficient amount.

11. Record shows that the difference in the amount calculated by rival parties has occurred, as the petitioners have filed calculation sheet @ of ₹20,000/- per biswa (₹4,00,000/- per bigha) from the very beginning whereas the calculation sheet filed by the respondents is based on the enhanced compensation of ₹5,334/- per biswa.

11.1 The calculation sheet filed by the petitioners on the face of it is wrong. Hon'ble Apex Court in "**Gurpreet Singh vs Union of India**" (2006) 8 SCC 457 has held that there is no obligation of the judgment debtor to pay interest on the part of Principal which he has already paid or deposited. Record shows that the petitioners are claiming interest/statutory benefits on the entire compensation even on the payments which they had already received/which the JDs had already deposited in the Court which is not permissible. The benefits were granted only on the enhanced compensation by this Court and affirmed by Hon'ble High Court of H.P. except for the hike in price of land to ₹4,00,000/- per bigha (₹20,000/- per biswa), hence the calculation of deficient amount was required to be made on the difference of amount of rate i.e. ₹5,334/- per biswa.

12. Record goes to show that after calculating all statutory benefits as granted, in view of the enhanced compensation the liability of the respondents till 30.09.2025 was ₹9,67,527/- which they have already deposited/paid, hence the execution petition being merit less, is dismissed. File after its due completion, be consigned to the record room.

Announced
28.07.2026.

(Amit Mandyal)
Addl. District Judge,
Kullu, H.P.

D.V.