

**LAC vs. Dropati (Deceased) through LRs**

**RFA No. 183 of 2007**

**Order Reserved on: 29.05.2024**

**24.06.2024**      **Present:**      Mr. Lokender Kutlehria, Additional Advocate General for the appellant.

Mr. Mohan Singh, Advocate, for respondents No.1(a) (iv), 1b(ii) to 1(b)(v), 1(b)(ix) to 1(b) (xiii) to 1(b)(xvi), 1(a)(i)(a), 1(a)(v)(c) to 1(a)(v)(e).

None for respondents No.1(b)(vi)(a) to 1(b)(vi) (c).

Mr. Rahul, Advocate Vice Mr. Rakesh K. Thakur, Advocate, for respondents No.2(a), 2(c) and 4(d).

Mr. Pawainder Thakur, Advocate, for respondents No.11(a)(i) to 11(a)(v).

The Land Reference Petition No.39-S/4 of 2001 titled Dhani Ram versus LAC and ors., Land Reference No.46-S/4 of 2001 titled Prem Prakash versus LAC and ors., Land Reference Petition No.47-S/4 of 2001 titled Prem Prakash versus LAC and ors, Land Reference Petition No.41-S/4 of 2001 titled Dropati and others vs. LAC and ors and Land Reference Petition No.40-S/4 of 2001 titled Dhani Ram and ors. versus LAC and ors. were decided by learned Reference Court vide the judgment and decree dated 26.05.2003. The State has filed the present appeal in Land Reference Petition No.41-S/4 of 2004 titled Dropati and others versus LAC and ors. The other reference petitions arising out of the same award are not tagged to the present petition. It was laid down by Hon'ble Supreme Court in *Kallubhai Khatubhai versus State of Gujarat*, AIR 2023 SC 3892 that where the State has accepted some of the awards and made a reference in the other,

the principle of parity requires that the compensation should be paid equally to all the parties and equal treatment be meted to all the affected land owners. This position was reiterated in *Executive Engineer KNNL versus Subhash Chandra and others, 2024 INSC 208* and it was held that where the enhanced compensation has been paid to some of the affected land owners, the Court should take a holistic view and make an endeavour to infuse uniformity in the matter of award to the compensation as far as possible in accordance with law.

Therefore, all the reference petitions arising out of the common award are to be disposed of together. Hence, the State is directed to file the list of the other appeals filed against the common award pronounced by the learned Reference Court within two weeks and the matter be listed thereafter.

**(Rakesh Kainthla)**  
**Judge**

**24.06.2024**  
(saurav pathania)