

RFA No.296 of 2015

29.09.2021 Present: Mr. G.D. Verma, Sr. Advocate, with Mr. Romesh Verma, Advocate, for the appellants.

Mr. Adarsh Sharma, Mr. Sumesh Raj, Mr. Sanjeev Sood, Additional Advocates General, with Mr. Kamal Kant Chandel, Deputy Advocate General, for the respondents.

Heard further. Mr. G.D. Verma, learned Senior Counsel appearing for the appellants, while referring the contents of para-11 of the award passed by the learned Reference Court, has submitted that perusal thereof clearly demonstrates that supplementary award with respect to the trees in question, could not be passed alongwith the main award, for the reason that the receipts thereof were not verified by the Assistant Engineer nor entered in the Measurement Book and the same were returned to the Executive Engineer, Rampur Division, vide letter dated 30.03.2006, for proper verification and for making entries in the relevant register. According to him, even thereafter the supplementary award has not been passed for the reason that the authorities which are in possession of the said receipt are not producing

the same before the Land Acquisition Collector.

Learned Additional Advocate General by relying upon the compliance affidavit, dated 31.07.2018, filed by Superintending Engineer, 11th Circle HPPWD, Tehsil Rampur, District Shimla, H.P., whereby Shri Jitender Singh (Deponent), submits that the supplementary award was passed by the Land Acquisition Collector, copy whereof is appended alongwith the compliance affidavit, i.e. Award No.08/2008, in case No. SML- 13/84.

Learned Senior Counsel, appearing for the appellants, on instructions, submits that this supplementary award does not pertain to the acquired land subject matter of this appeal and pertains to some other land.

Before the matter is heard any further, let the Land Acquisition Collector clarify this aspect of matter as to whether the supplementary award referred to above, pertains to the land subject matter of this appeal or some other land as has been contended on behalf of the appellants. Needful be done within three weeks. List on **01.11.2021**.

It goes without saying that the Land Acquisition Collector shall take into consideration the affidavit filed by him in the Court, on 12.09.2018.

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(Ajay Mohan Goel)
Judge

September 29, 2021
(Rishi)