

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 18416/2024

Madanlal S/o Shri Mohanlal, Aged About 48 Years, Resident Of
Lal Bagh, Nathdwara, Tehsil- Nathdwara, Dist.- Rajsamand.

----Petitioner

Versus

1. The National Highway Authority Of India, Through
Chairman, G-5 And 6, Sector-10, Dwarka, New Delhi.
2. The Prescribed Authority (Land Acquisition), Additional
District Collector And Additional District Magistrate,
Collectorate-Rajsamand (Raj.).
3. The Project Director, National Highway Authority Of India
(Nhai), Project Implementation Unit, 10 A, Panchwati,
Udaipur.

----Respondents

Connected With

S.B. Civil Writ Petition No. 6039/2023

1. Ram Singh Rao S/o Shri Madan Singh, Aged About 49
Years, Resident Of Chouhata, Khandel, Tehsil Railmangra,
District Rajsamand.
2. Indra Pal Singh Rao S/o Shri Madan Singh, Aged About 35
Years, Resident Of Rao Mohalla, Khandel, Tehsil
Railmangra, District Rajsamand.

----Petitioners

Versus

1. The National Highway Authority Of India, Through
Chairman, G-5 And 6, Sector-10, Dwarka New Delhi.
2. The Prescribed Authority (Land Acquisition And Additional
District Magistrate), Collectrate Rajsamand, District
Rajsamand (Raj.).
3. Project Director Nhai, Project Implementation Unit, 6-A-1,
R.c. Vyas Colony, Bhilwara.

----Respondents

S.B. Civil Writ Petition No. 9485/2024

Sajjan Devi Chordia W/o Shri Ganpat Chordia, Aged About 74
Years, Resident Of 313, Bhilwara Road, Near Post Rajsamand.

----Petitioner

Versus

1. The National Highway Authority Of India, Through
Chairman, G-5 And -, Sector-10, Dwarka, New Delhi.
2. The Competent Authority, (Land Acquisition) And
Additional District Magistrate, Collectorate- Rajsamand,
District Rajsamand (Raj.).
3. Project Director, National Highway Authority Of India,
Project Implementation Unit, 59-B Bapunagar (W), Road



No. 5, Senth, Chittorgarh.

----Respondents

S.B. Civil Writ Petition No. 9577/2024

Ganpat Lal Chordiya S/o Shri Keshu Lal, Aged About 89 Years,
Resident Of 313, Bhilwara Road, Rajsamand.

----Petitioner

Versus

1. The National Highway Authority Of India, Through Chairman, G-5 And 6, Sector-10, Dwarka, New Delhi.
2. The Competent Authority, (Land Acquisition) And Additional District Magistrate, Collectorate- Rajsamand, District Rajsamand (Raj.).
3. Project Director, National Highway Authority Of India, Project Implementation Unit, 59-B, Bapunagar (W), Road No. - 5, Senth, Chittorgarh.

----Respondents

For Petitioner(s)	:	Mr. S.S. Sisodia
For Respondent(s)	:	Mr. Vinit Sanadhya Ms. Priyanka Gopa

HON'BLE MR. JUSTICE SANJEET PUROHIT**Judgment****10/02/2026**

1. Present bunch of writ petitions has been filed praying for similar relief, i.e., for issuance of directions to respondent-authorities to re-determine amount of compensation granted under awards passed by Competent Authority Land Acquisition ("CALA") after 31.12.2014 in accordance with provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ("RFCTLARR Act, 2013").
2. Learned counsel for petitioner submits that issue involved in present case stands squarely covered by judgment dated 27.03.2017 passed by this Court in **S.B. Civil Writ Petition No.**

13114/2016 [Man Singh & Ors. Vs. Union of India & Ors.],

wherein this Court, while considering the effect of Section 105(3) of the RFCTLARR Act, 2013, has held that the CALA is required to determine compensation payable in lieu of acquisition in accordance with the provisions contained in First Schedule of the RFCTLARR Act, 2013 in cases where the award was not declared before 31.12.2014. In **Man Singh** (supra), since the award had been passed after 31.12.2014, this Court directed respondent-authorities to re-determine the compensation payable to petitioners in terms of the RFCTLARR Act, 2013, within a stipulated period. Relevant part of judgment passed in **Man Singh** (Supra) is quoted below:-

"4. As a matter of fact, the issue regarding applicability of the provisions of the Act of 2013 for determination of compensation in cases where land acquisition proceedings were initiated under the Act of 1956, but award has not been declared till 31st of December, 2014, was considered by the Ministry of Road Transport & Highways and vide circular dated 3rd of February, 2016, while accepting the legal opinion tendered by Additional Solicitor General of India, it has been clarified that even where the award of compensation under Section 3G of the Act of 1956 was declared by competent authority on or before 31st of December, 2014 but compensation in respect of majority of the land area notified in the relevant 3A notification was not deposited in the account of beneficiaries on or before 31st of December, 2014, all the beneficiaries shall be entitled to compensation in accordance with provisions of the Act of 2013.

5. It is not disputed that in the instant case, the award has been passed after 31.12.14 and therefore, even otherwise, as per the categorical stand taken by the Union of India and the National Highways Authority by virtue of provisions of sub-section (3) of Section 105 of the Act of 2013 in force at the relevant

time, the compensation payable to the petitioners for the land acquired has to be re-determined as per the provisions of the Act of 2013.

6. In this view of the matter, the writ petition is disposed of with the directions to the respondents to re-determine the amount of compensation payable to the petitioners in accordance with the provisions of the Act of 2013. The entire exercise shall be completed within a period of three months from the date of receipt of certified copy of this order. No order as to costs. "

3. Learned counsel for petitioner submitted that in light of judgment passed in **Man Singh** (supra), several writ petitions have been decided. Said orders were questioned by respondent - Union of India by way of filing recalling applications led by S.B. Writ Misc. Application No. 190/2021 [**Deep Singh Vs. Union of India & Ors.**] and the same were dismissed by Co-ordinate Bench of this Court vide its order dated 28.07.2022.

3.1 Said order dated 28.07.2022 was challenged by Union of India by way of filing D.B. Special Appeal (W) No. 936/2022 [**Union of India & Ors. Vs. Mahaveer & Ors.**] and even said special appeal was dismissed by the Hon'ble Division Bench vide its order dated 09.12.2022.

3.2 Learned counsel for petitioner also states that even Special Leave Petition (Civil) No. 24134/2023, filed for challenging order dated 09.12.2022, has been dismissed by the Hon'ble Supreme Court vide its order dated 21.07.2023.

3.3 Referring to all the aforesaid orders, learned counsel for petitioner submits that the judgment rendered in **Man Singh** (supra) has attained finality, having been affirmed up to the Hon'ble Supreme Court. It is thus contended that the legal

position now stands settled, namely, that in cases arising out of land acquisition proceedings undertaken by National Highways Authority of India, where the award has been declared after 31.12.2014, determination of compensation is required to be made in accordance with the provisions of the RFCTLARR Act, 2013.

4. Learned counsel for respondents, though opposing the relief sought by petitioners, has not been able to dispute either the ratio laid down by this Court in **Man Singh** (supra) or the subsequent judgments rendered by Hon'ble Division Bench of this Court and the Hon'ble Supreme Court in similar matters. Learned counsel for respondents has also failed to dispute the fact that in the present batch of writ petitions, award in question has been passed after 31.12.2014.

5. In view of the aforesaid undisputed factual position and the settled position of law in this regard, present writ petitions are disposed of in terms of and in consonance with directions issued in **Man Singh** (supra). Respondent-authorities are directed to re-determine amount of compensation payable to petitioners strictly in accordance with the provisions of the RFCTLARR Act, 2013. Entire exercise shall be completed within a period of three months from the date of receipt of certified copy of this order.

6. Stay petitions and pending applications, if any, also stand disposed of.

(SANJEET PUROHIT),J