

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

RFA No. 337 of 2014 a/w
Cross Objections No. 66 of 2018
Date of decision: 18.09.2026

General Manager, Northern Railway	Appellant
Versus	
Prem Mohan & Ors.	...Respondents

Coram

Hon'ble Mr. Justice Sushil Kukreja, Judge

¹ *Whether approved for reporting?*

For the appellants:	Mr. Nand Lal Thakur, Senior Panel Counsel.
For the respondents:	Mr. Ajay Sharma, Senior Advocate with Mr. Tarun Brakta, Advocate, for respondents No. 1 to 12/Cross Objectors. Ms. Archana Negi, Deputy Advocate General, for respondents No. 13 & 14/State.

Sushil Kukreja, Judge

The instant appeal has been filed by the appellant, who was respondent No. 3 before the learned Court below, against the award dated 23.05.2012, passed by the learned Additional District Judge, Fast Track Court, Una, District Una, H.P. (hereinafter referred to as the Reference Court) in LAC Petition

¹ *Whether reporters of Local Papers may be allowed to see the judgment?*

No. 10/2008, titled as Prem Mohan & Ors. Vs. LAC (Railways) & Ors., with a prayer to quash and set aside the same. The parties shall be referred to as they were before the learned Reference Court.

2. The facts of the case, in brief, are that the Government of Himachal Pradesh issued a notification under Section 4 of the Act, dated 01.12.2000 for acquisition of the land of the petitioners, situated at Village Teuri, Tehsil and District Una, for construction of Railway line from Nangal to Talwara. Notification under Section 6 of the Act was also issued on 21.03.2001 and objections were called by the Land Acquisition Collector. After following all codal formalities, the Land Acquisition Collector (Railways), Una passed Award dated 03.12.2001.

3. Feeling aggrieved and dissatisfied with the said award, the petitioners preferred reference petition under Section 18 of the Act with the prayer that they may be granted enhanced compensation alongwith other statutory benefits.

4. The learned Reference Court, vide award dated 23.05.2012, allowed the reference petition and the petitioners were awarded compensation at the rate of Rs. 80,000/- per *kanal*, alongwith interest at the rate of 12% per annum on the enhanced

amount of compensation under Section under Section 23(1-A) of the Act w.e.f. 01.12.2000 to 06.02.2002 and solatium at the rate of 30% on the enhanced amount of compensation. They were also held entitled to interest at the rate of 9% per annum for one year from 07.02.2002 and thereafter at the rate of 15% per annum, till the amount of compensation was deposited in the Court.

5. The appellant-General Manager, Northern Railway, being aggrieved and dissatisfied with the impugned award dated 23.05.2012, passed by the learned Reference Court, preferred the instant appeal with a prayer that the impugned award may be quashed and set-aside. Respondents No. 1 to 12 have also filed cross-objections with a prayer that award passed by the learned Reference Court may be enhanced.

6. I have heard learned Senior Panel Counsel for the appellant as well as learned Senior Counsel for the respondents/cross objectors and learned Deputy Advocate General for respondents/State and have also carefully gone through the entire record.

7. The learned Senior Panel Counsel for the appellant/Northern Railway as well as the learned Senior Counsel and learned Deputy Advocate General for the respective

respondents are *ad idem* to the fact that in similar cases, arising out of Award dated 23.05.2012, passed by the learned Reference Court, Una, a Co-ordinate Bench of this Court disposed of batch of appeals, lead case being ***RFA No. 245 of 2014 alongwith CO No. 102 of 2016*** titled ***General Manager, Northern Railways Vs. Sh. Rattan Chand & others alongwith connected matters, decided on 27.11.2019***, whereby the award passed by the learned Reference Court was upheld and the appeals filed by the appellant(s) therein were dismissed.

8. Therefore, in view of the above, the instant appeal is disposed of in terms of the aforesaid judgment passed in ***RFA No. 245 of 2014 alongwith CO No. 102 of 2016*** and the directions issued in the said judgment shall apply *mutatis mutandis* to the instant case(s).

9. In view of the order passed in the main appeal, cross objections filed by the respondents/cross-objectors are dismissed.

Pending application(s), if any, shall also stand disposed of.

September 17, 2026
(raman)

(Sushil Kukreja)
Judge