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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

XOBJR-40-2022 and RFA-392-2019 (O&M)
Date of Decision: September 17, 2025

ROOP CHANDAppellant
 Versus
STATE OF HARYANA THROUGH AND ORS.Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Navmohit Singh, Advocate
 for the appellant/cross-objector.

Mr. Abhinash Jain, DAG, Haryana.

HARKESH MANUJA, J. (ORAL)

XOBJR-40-2022 AND RFA-352-2024

By way of present appeal, challenge has been laid to the Award dated 24.05.2016 passed by the learned Addl. District Judge, Faridabad-cum-Reference Court whereby Reference Petition under Section 18 of the Land Acquisition Act, 1894 (for short 'the 1894 Act') preferred at the instance of appellants/landowners was partly allowed while awarding compensation @ Rs.1870/- per square yard *qua* the acquired land along with other statutory benefits/interest in their favour.

[2]. Learned counsel for the parties are *ad idem* that the matter with respect to the determination of market value stands finally adjudicated upon by the Hon'ble Apex Court vide its decision dated 14.07.2021 passed in **Civil Appeal No.2903 of 2021** titled as **"Banwari Lal and another vs. State of Haryana and ors."** whereby the similarly situated landowners pertaining to the same acquisition proceedings related to the land situated in revenue estate i.e. Neemka, Tehsil and District Faridabad, have been held entitled for

the enhanced amount of compensation @ Rs.2186/- per square yard, respectively along with solatium and other statutory benefits.

[3]. In view of the above as well as on account of agreed stand taken by both the sides on facts and applying the principle of parity, besides grant of just and fair compensation, the present appeal is partly allowed in terms of the aforementioned decision i.e. **Banwari Lal and Another's** case (supra) and the appellants are held entitled for similar amount of compensation as has been awarded to other similarly situated landowners, along with all statutory benefits and interest available under the amended provisions of Land Acquisition Act, 1894 as applicable to the present acquisition.

[4.] At this stage, it may be noticed here that initially reference petition under Section 18 read with Section 30 of 1894 Act was preferred at the instance of appellant-Roop Chand (Gair marusi) against official respondents as well as the landowners-private respondents/cross-objectors. However, during the course of proceedings before the learned Reference Court, a settlement was arrived at between the landowners(gair marusi) and in terms thereof, 65% share out of compensation amount has to be granted to the appellant(gair marusi) whereas, the remaining 35% goes to the respondents-landowners/cross-objectors. Accordingly, the two sets of parties shall be entitled for apportionment of the enhanced compensation in terms of their compromise/settlement arrived before the learned Reference Court.

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

17.09.2025

Tejwinder

(HARKESH MANUJA)

JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>