



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Civil Revision No. 5417 of 2023 (O&M)
Date of Decision: 13.10.2025**

Haryana State Industrial and Infrastructure
Development Corporation Limited, Panchkula

..... Petitioner

Versus

Balraj and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Pritam Singh Saini, Advocate
for the petitioner.

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present revision petition, seeks setting aside of an order dated 29.08.2022 (Annexure P-1) passed by the learned Additional District Judge, Gurugram, whereby the petition for amendment in the description of land preferred by respondent No. 1, was allowed.

[2] It is not in dispute that respondent No. 1 had moved application seeking reference under Section 18 of the Land Acquisition Act, 1894 (for short, 'the Act'), though the description of the acquired land mentioned in the reference was lesser than the total land actually acquired by the State. In this situation, the landowner could not have been put to disadvantage only because his entire land was not mentioned in the application seeking reference. The land owner is not even required to describe the complete details of the land while seeking reference because he is required to make that application to the Land Acquisition Collector, who

had acquired the land, and even as mandated under Section 19 of the Act, it is the job of the Land Acquisition Collector to give details of the land to the Reference Court; qua which the enhancement is to be considered by the Reference Court. If everything was required to be done by the landowner, then there would not have been any requirement of routing the application for seeking reference to the Reference Court through the Land Acquisition Collector. In that situation, it would have been an independent right of the landowner to directly go to the Reference Court and to seek enhancement of the market value of the land, as considered appropriate by him. Since the details of the land are actually available with the LAC only and the landowner can be an illiterate poor person as well, therefore, the Act prescribes that the application for reference has to be routed through the Land Acquisition Collector; and once such an application is moved by the landowner, then it is the duty of the Collector to put up the entire matter before the Reference Court by giving details of the land of the person, who has made an application seeking reference. The aforesaid view of this Court finds support from the judgment of the Hon'ble Supreme Court rendered in ***Ram Kumar Vs. Union of India 1991(1) R.R.R. 548.***

[3] Although learned counsel for the petitioner has submitted that the landowner was required to seek amendment of the Reference which was made qua him, so as to give full particulars of total land acquired, however, as this Court has observed above, the landowner was not even required to give any details; and it was the job of the Collector to provide the complete details of the land of the aggrieved landowner, therefore, there is no question of the landowner seeking any amendment of the Reference, as such. The

entire matter was well within the knowledge of the Land Acquisition Collector, who was also a party before the Reference Court when market value was being re-determined. Therefore, the market value of the land was determined in the presence of the Land Acquisition Collector. Hence; now, he cannot raise any grievance against direction to pay the amount of enhanced market value of the land, particularly so; because there is not even an argument that the land which was left out of mention in the Reference filed by the landowner, was having a different market value; than the land qua which the market value was determined by the Reference Court.

[4] In view of the above, this Court does not find any illegality or impropriety with the order passed by the learned Additional District Judge, Gurugram.

[5] Consequently, the present petition is **dismissed**.

[6] Pending miscellaneous application(s), if any, shall also stand disposed off.

October 13, 2025

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(HARKESH MANUJA)
JUDGE

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| <i>Whether Speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i> | <i>Yes/No</i> |