



**326 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**RFA-1525-2012 (O&M)
Date of decision : 17.02.2025**

Ravi Dutt and others ...Appellants

Vs.

State of Haryana and another ...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present Mr. Ashwani Talwar, Advocate
Mr. Deepak Goyat, Advocate
for the appellant(s).

Mr. Yashveer Kharb, Advocate for
Mr. S.S. Kharb, Advocate
for the appellant(s) in RFA-763-2012.

Mr. Abhinash Jain, DAG, Haryana

Mr. Pardeep Singh Poonia, Advocate
Mr. Dharampal Saini, Advocate
Mr. Mukul Malik Advocate
Mr. Pulkit Dhanda, Advocate
for respondents-HPGCL.

ANIL KSHETARPAL, J. (Oral)

CM-7545-CI-2019

1. This application has been filed under Order 22 Rule 3 read with Section 151 CPC for bringing on record the legal representatives of the appellant No.1-Ravi Dutt.
2. For the reasons mentioned in the application, which is supported



by the affidavit of Sh. Balwan Singh S/o late Sh. Ravi Dutt, the same is allowed subject to all just exceptions and the legal representatives of appellant No.1 are ordered to be taken on record.

3. Amended memo of parties is taken on record.
4. The application stands allowed.

Main case

1. With the consent of learned counsel representing the parties, a batch of 21 connected regular first appeals, detail whereof is given at the foot of the judgment, shall stand disposed of by this common order.
2. On 11.02.2025, after hearing learned counsel representing the parties, the following order was recorded:-

“In these cases, the relevant details of the acquisition are as under:-

	<i>Suthana</i>	<i>Jattol</i>
<i>Date of Notification u/s 4</i>	<i>13.07.2005</i>	<i>13.07.2005</i>
<i>Date of notification u/s 6</i>	<i>28.12.2005</i>	<i>28.12.2005</i>
<i>Area</i>	<i>92 Kanal 13 Marla</i>	<i>5 Acre 7 kanal 6 marlas (47 k 6M)</i>
<i>Village</i>	<i>Suthana</i>	<i>Jattol</i>
<i>District</i>	<i>Panipat</i>	<i>Panipat</i>
<i>Purpose</i>	<i>Green Belt</i>	<i>Green Belt</i>
<i>LAC award date</i>	<i>24.05.2007</i>	<i>24.05.2007</i>
<i>LAC award</i>	<i>Rs.12,50,000/- per acre</i>	<i>Rs.12,50,000/- per acre</i>
<i>RC award date</i>	<i>25.01.2010</i>	<i>18.10.2011</i>
<i>RC award</i>	<i>Rs.14,00,000/-</i>	<i>Rs.12,50,000/- upheld, references dismissed</i>

The Land Acquisition Collector awarded compensation at the rate



of Rs.12,50,000/- per acre whereas Reference Court dismissed the reference petitions arising from acquisition of land in village Jattol. With respect to the acquired land located in Village Suthana, the market value was assessed at the rate of Rs.14,00,000/- per acre.

Learned counsel representing the appellants submits that as per policy instructions dated 06.04.2007, minimum floor rate for acquisition of land in rest of Haryana sub division of NCR including Panchkula, an area of Chandigarh Periphery, in the Haryana State, is Rs.16,00,000/- per acre. These policy instructions have been made applicable on all those acquisitions where the award has been announced on or after 22.03.2007, irrespective of the notification under Section 4 dated 22.03.2007 of the Land Acquisition Act, 1894. Para 4 of the aforesaid policy instructions is extracted as under:-

“4. These revised rates will be applicable on all those acquisitions where award has been announced on or after 22.3.2007 irrespective of the date of notification under Section 4 of the Land Acquisition Act, 1894.”

Keeping in view the aforesaid facts, the only issue which requires verification is as to when these two villages came within the NCR region.

Learned State counsel has referred to the various sale deeds produced by the parties during the course of evidence by both the parties. Tabulated compilation is extracted as under:-

Evidence of Village Suthana

Exhibit	No.	Dated	Village	Area	Consideration
RW1/B	19	07.04.2005	Suthana	8K	Rs.2,35,000/-
RW1/C	1368	17.11.2005	Suthana	2 A 3 K 5M	Rs.5,55,000/-
RW1/D	589	30.06.2005	Suthana	19K	Rs.30,000/-
P1	1862	11.01.2007	Khukrana	2 A 5 M	Rs.10,616,563/-



Evidence of Village Jattol

<i>Exhibit</i>	<i>No.</i>	<i>Dated</i>	<i>Village</i>	<i>Area</i>	<i>Consideration</i>
<i>RW1/B</i>	<i>8284</i>	<i>31.01.2005</i>	<i>Jattol</i>	<i>23K 15M</i>	<i>Rs.10,39,500/-</i>
<i>RW1/C</i>	<i>6150</i>	<i>29.11.2004</i>	<i>Jattol</i>	<i>9K 18M</i>	<i>Rs.4,33,500/-</i>
<i>RW1/D</i>	<i>7750</i>	<i>14.01.2005</i>	<i>Jattol</i>	<i>20K 0M</i>	<i>Rs.3,50,000/-</i>
<i>P2</i>	<i>1862</i>	<i>11.01.2007</i>	<i>Khukrana</i>	<i>2A 5 M</i>	<i>Rs.10,616,563/-</i>

Learned counsel representing the landowners prays for some time to verify the data or the period when both the villages fell within the NCR region.

Adjourned to 17.02.2025.

A photocopy of this order be placed on the files of the other connected cases.”

3. Learned State counsel on instructions from Mr. Pankaj Beniwal, District Town Planner, Panipat submits that both the villages fell within the area of National Capital Region (NCR) in 1985. Thus, it is evident that the notification issued by the State Government on 06.04.2007 shall be applicable because the Award in this case was announced by the Land Acquisition Collector on 24.05.2007 with regard to acquisition of land in both the villages. As per the policy decision dated 06.04.2007, the minimum floor rate for acquisition of land in rest of Haryana sub division of NCR including Panchkula, an area of Chandigarh Periphery, in the State of Haryana, is Rs. 16,00,000/- per acre.

4. The land owners have failed to produce a sale deed reflecting higher market value than Rs.16,00,000/- per acre. Since, the State of Haryana has already taken a policy decision to Award minimum floor rate for



acquisition of land falling in NCR @ Rs.16,00,000/- per acre. Hence, the market value is revised to Rs.16,00,000/- per acre. The land owners shall be entitled to all consequential benefits as per amended Land Acquisition Act, 1894.

5. All the regular first appeals are allowed.
6. All the pending miscellaneous applications, if any, are also disposed of.

**(ANIL KSHETARPAL)
JUDGE**

17.02.2025

neeraj

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No

Sr. No	Case No.	Appellant(s)	Respondent(s)
1.	RFA-1525-2012	RAVI DUTT AND ORS	STATE OF HARYANA AND ORS
2.	RFA-763-2012	DAYANAND AND OTHERS	LAND ACQUISITION COLLECTOR AND OTHERS
3.	RFA-1524-2012	SURINDER AND ORS	STATE OF HARYANA AND ORS
4.	RFA-3049-2010	VISHNU DUTT AND ORS	LAND ACQUISITION COLLECTOR AND ORS
5.	RFA-3050-2010	SATISH KUMAR AND ORS.	LAND ACQUISITION COLLECTOR AND ORS.
6.	RFA-3051-2010	ROSHAN LAL	LAND ACQUISITION COLLECTOR AND ORS.
7.	RFA-3052-2010	OM PARKASH	LAND ACQUISITION COLLECTOR AND ORS.
8.	RFA-3053-2010	OM PARKASH AND OTHERS	LAND ACQUISITION COLLECTOR AND ORS.
9.	RFA-3054-2010	PALTU AND ORS.	LAND ACQUISITION COLLECTOR AND ORS.
10.	RFA-3055-2010	JAYOTI PARSAD	LAND ACQUISITION COLLECTOR AND ORS.
11.	RFA-3056-2010	SOM DUTT	LAND ACQUISITION COLLECTOR AND ORS.



12.	RFA-3057-2010	SATISH KUMAR AND ORS.	LAND ACQUISITION COLLECTOR AND ORS.
13	RFA-3980-2010	LAND ACQUISITION COLLECTOR AND ORS.	OM PARKASH
14	RFA-3981-2010	LAND ACQUISITION COLLECTOR AND ORS.	RATI RAM AND ORS
15	RFA-3982-2010	LAND ACQUISITION COLLECTOR AND ORS.	SATISH KUMAR AND ORS.
16	RFA-3983-2010	LAND ACQUISITION COLLECTOR AND ORS.	SOM DUTT
17	RFA-3984-2010	LAND ACQUISITION COLLECTOR AND ORS.	JAYOTI PARSAD
18	RFA-3985-2010	LAND ACQUISITION COLLECTOR AND ORS.	PALTU AND ORS
19	RFA-3986-2010	LAND ACQUISITION COLLECTOR AND ORS.	VISHNU DUTT AND ANR.
20	RFA-3987-2010	LAND ACQUISITION COLLECTOR AND ORS.	OM PARKASH AND ORS.
21	RFA-3988-2010	LAND ACQUISITION COLLECTOR AND ORS.	ROSHAN LAL

**(ANIL KSHETARPAL)
JUDGE**

17.02.2025
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