



107 (8 cases)

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

Date of Decision: 28.08.2025

1. RFA No. 1537 of 2004 (O&M)
State of Haryana & anr.Appellants
Versus
Gurpal SinghRespondent
2. RFA No. 1538 of 2004 (O&M)
State of Haryana & anr.Appellants
Versus
Mukhtiar SinghRespondent
3. RFA No. 1539 of 2004 (O&M)
State of Haryana & anr.Appellants
Versus
Ram Chander and ors.Respondents
4. RFA No. 1540 of 2004 (O&M)
State of Haryana & anr.Appellants
Versus
Boota Singh @ Major Singh and anr.Respondents
5. RFA No. 1541 of 2004 (O&M)
State of Haryana & anr.Appellants
Versus
Jagtar Singh and ors.Respondents
6. RFA No. 1542 of 2004 (O&M)
State of Haryana & anr.Appellants
Versus
Gurjant Singh and ors.Respondents
7. RFA No. 1880 of 2004 (O&M)
State of Haryana & anr.Appellants
Versus
Gurlal Singh and ors.Respondents
8. RFA No. 1881 of 2004 (O&M)
State of Haryana & anr.Appellants
Versus
Baljit Kaur and ors.Respondents



CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Abhinash Jain, DAG, Haryana
for the appellant State.

None for respondents/landowners.

HARKESH MANUJA, J. (ORAL)

This order of mine shall dispose of above said 08 appeals by way of a common order as identical facts are involved therein. For convenience, facts are being taken out from RFA No.1537-2004.

2. By way of filing the present appeal(s) challenge has been laid to the decision dated 10.03.2004 passed by learned Additional District Judge, Narnaul-cum-Reference Court.

3. Brief facts of the case are that land situated within revenue estate of Village Jogewala, Tehsil Dabwali, District Sirsa, was sought to be acquired vide Govt. Notification dated 06.01.1998 issued under Section 4 of Land Acquisition Act, 1894 (for short 'the Act') published on 17.02.1998, followed by notification dated 14.10.1998 issued under Section 6 thereof and published on 19.12.1998, for public purpose, namely, for construction fo a D.H.S. Road to Panniwali Morkia. The Land Acquisition Collector, Sirsa (for short 'LAC'), assessed the market value at uniform rate of Rs.1,00,000/- per acre for every category i.e. Nahri, Gair Mumkin, Gair Mumkin Abadi including plots etc. vide award dated 22.11.1999.

4. Feeling aggrieved, the landowners filed reference



petitions under Section 18 of the Act pleading that the compensation assessed by the LAC was inadequate in view of prevailing market value. It has further been pleaded that the land in question is situated close to Abadi of Village Jogewala, which could be used for commercial or residential purposes, and, thus, they are entitled to higher compensation, alongwith interest @ 24% per annum besides other statutory benefits.

5. The learned Additional District Judge, Sirsa (hereinafter to be referred as the 'Reference Court'), after examining and taking into consideration all the material available on record, vide award dated 10.3.2004 awarded/enhanced the market value as under:-

1. Nehri land :Rs. 1,35,000/- per acre
2. Gair Mumkin Abadi : Rs. 1,69,411/- per acre

The learned Reference Court also awarded additional amount @ 12% per annum on compensation as provided under sub-Section (1-A) of Section 23 of the Act, besides solatium @ 30% as per sub-Section (2) of Section 23 of the Act. However, the compensation qua other category(ies) of acquired land was not enhanced by the learned Reference Court.

6. Feeling dissatisfied with the award passed by the learned Reference Court, the appellant State preferred the above said appeals.

7. Impugning the aforementioned Award, learned Counsel appearing for the appellant-State submits that the learned Reference



Court went wrong having failed to take into account the sale instance Ex.R2 dated 28.05.1997 and Ex.R-4 dated 13.01.1996 for the purposes of assessment of market value as on the basis of said sale instances, the price of the land therein was ranging between Rs.62,000/- to Rs.90,000/- per acre only and the same was even below the market value assessed by the LAC, in exercise of its power under Section 11 of the Act. Learned State counsel thus submits that there was no scope of enhancement over and above the market value assessed by the LAC and thus, the impugned award passed by the learned Reference Court was liable to be set aside.

No other argument has been addressed.

8. No one has chosen to appear on behalf of the respondents/ landowners despite service and thus the present appeals are heard in their absence.

9. Having heard learned counsel for the appellant and upon going through the paper-book, I am unable to find substance in the submissions made on behalf of the State.

10. A perusal of the impugned award shows that the market value has been re-assessed by the learned Reference Court while relying upon the sale instance Ex.P8 dated 24.07.1997, as per which the sale consideration per acre comes to Rs.1,68,000/-. Ex.P8 pertains to the same revenue estate i.e. Village Jogewala, Tehsil Dabwali, District Sirsa for an area measuring 1 kanal of land. The acquisition in the present case relates to 2.33 acres of land for the



public purpose, namely, construction of D.H.S. road to Panniwala Morika road. In such circumstances, when the purpose of acquisition was for construction of road and the acquired land was merely 2.33 acres, the appellant-State did not suffer extra cost towards any additional infrastructural development, thus no case is made out for interference with the impugned award dated 10.03.2024 passed by learned Reference Court based on the aforementioned sale exemplar Ex.P8 dated 24.07.1997 having assessed market value @ Rs.1,35,000/- per acre for Nehri land and Rs.1,69,411/- per acre for Gair Mumkin Abadi.

11. Accordingly, the present appeals being devoid of merit are hereby dismissed thereby upholding the award passed by the learned Reference Court.

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

28.08.2025
sanjay

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned?
Whether Reportable?

Yes/No
Yes/No