

2025:PHHC:092259



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

**CM-1315 & 1316-CI-2025 in/and
RFA-1540-2023 (O&M)
Decided on:-23.07.2025**

Saroop Chand (deceased) thr. his LRs and anrAppellants..

vs.

State of Haryana and othersRespondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ravinder, Advocate for
Mr. Akshay Jindal, Advocate,
for the appellants.

Mr. Abhinash Jain, DAG, Haryana.

Mr. Pritam Singh Saini, Advocate,
for respondent No.3-HSIIDC.

HARKESH MANUJA J. (Oral)

CM-1315-CI-2025

1. Prayer in this application is for preponing the date of hearing in the main case, which is fixed for 05.09.2025.
2. Notice of the application.
3. Mr. Abhinash Jain, DAG, Haryana, accepts notice on behalf of respondents No.1 & 2, whereas, Mr. Pritam Singh Saini, Advocate accepts notice on behalf of respondent No.3 and raise no objection to the aforesaid course.
4. Having heard learned counsel for the parties and gone through

the contents of the application, prayer made herein is allowed and date of hearing is preponed from 05.09.2025 to today itself for hearing.

RFA-1540-2023 (O&M)

1. The present appeal has been filed at the instance of the landowners, seeking enhancement of compensation for the acquired land.
2. Brief facts of the case are that certain land owned by the appellants-landowners, situated in the revenue estate of village Manesar, Tehsil Manesar, District Gurugram, came to be acquired vide notifications dated 27.08.2004 and 25.08.2005, issued under Sections 4 and 6, respectively, of the Land Acquisition Act, 1894 (for short, "1894 Act"), for setting up Chaudhary Devi Lal Industrial Township. Total land under acquisition was 912 Acres. Since, the entire acquisition proceedings were dropped by the State of Haryana on 24.08.2007, therefore, no award was passed. Being aggrieved, the landowners approached this Court by filing CWP-23769-2011, which was dismissed on 15.12.2014. Against the said judgment, the landowners approached the Hon'ble Supreme Court by way of separate appeals, which were allowed vide judgment dated 12.03.2018, wherein, liberty was granted to them to prefer reference petition. Accordingly, appellants filed separate reference petitions under Section 18 of the 1894 Act, seeking compensation. Upon consideration of the material available on record, the Reference Court vide its award dated 19.05.2023, assessed the market value @ Rs.69,19,082/- per acre. The relevant part thereof is extracted hereunder:-

"As a sequel to the above said discussion held under issue No.1, all the petitions under consideration are partly with costs. Market value of the acquired land at village Manesar on the

date of notification under Section 4 of the Act i.e. 27.08.2004 is fixed as Rs.69,19,082/- per acre along with statutory benefits.

Besides this, they shall also get solatium at the rate of 30% as envisaged under sub section (2) of section 23 of the Act and as per provisions of section 23(1-A) of the Act, they shall also be entitled to an amount calculated at the rate of 12% per annum on the above mentioned assessed market value for the period commencing on and from the date of publication of notification u/s 4 sub section (i) till the award of the Collector or the date of taking possession of the acquired land, whichever is earlier. They shall also be entitled to interest on the enhanced compensation at the rate of 9% per annum from the date of taking possession for a period of one year and at the rate of 15% per annum after the date of expiry of said period of one year till the payment is made as provided under Section 28 of the Act. They shall also be entitled to interest on the additional amount and solatium provided under sub sections (1-A) and (2) of Section 23 of the Act in accordance with law.”

3. Learned counsel for the parties are *ad idem* that the claim made in the present appeal is squarely covered by the decision rendered by this Court in main RFA-1566-2023, titled as “**HSI IDC vs. Raj Pal and others**”, whereby the award passed by the learned Reference Court has been upheld and the appeals filed by the landowners for further enhancement have been dismissed.

4. I have heard learned counsel for the parties and gone through the paper book.

5. In view of aforesaid stand taken by counsel for the parties, the present appeal stands dismissed in terms of the decision rendered by this Court in **Raj Pal’s** case (supra), thereby upholding the award passed by the

learned Reference Court; there being no scope of further enhancement of market value in favour of landowners.

7. Pending application, if any, also stands disposed of.

23.07.2025

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No