



**RFA-587-2009(O&M)
and other connected cases**

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

**RFA-587-2009(O&M)
and other connected cases
Date of decision: 07.05.2025**

Samunder Singh

..Appellant

Versus

State of Haryana and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Adarsh Jain, Advocate for landowners
in RFA-2790, 2791, 3419, 5032, 5176 to 5185 of 2009
and RFA-2900-2011

Ms. Amandeep Kaur, Advocate for
Mr. Kulbhushan Sharma, Advocate for appellants
in RFA-2815-2010, 2808 to 2812 of 2012 and 4366 of 2011

Mr. Sukhandeep Singh, Advocate for appellants
in RFA-612-2007 and 5476 of 2010

Mr. Somvir Singh Deswal, Advocate
Mr. Abhishek Deswal, Advocate
Mr. Kuldeep Singh Bhakkar, Advocate
Mr. Roshneel Singh Brar, Advocate
for the appellants in RFA-587-2009

Ms. Safia Gupta, AAG, Haryana

ANIL KSHETARPAL, J.(ORAL)

1. With the consent of the learned counsel representing the parties, a batch of 32 connected Regular First Appeals (details whereof are at the foot of the judgment) shall stand disposed of by this common order.
2. In this batch of two parcels of land acquired by separate notifications are being decided. The first notification under Section 4 of the



**RFA-587-2009(O&M)
and other connected cases**

Land Acquisition Act, 1894 (hereinafter referred to as '1894 Act') was issued on 12.06.2000 whereas the second was issued on 04.01.2001. Through this notification, left over patches of land in Sector 20A and 20B Faridabad falling within the area of Village Ajronda and Daulatabad have been acquired.

3. In fact, the appeals arising from notification dated 12.06.2000 were decided on 16.04.2012 by the High Court in **Samunder Singh vs. State of Haryana and another (RFA-587-2009)**. The market value of the acquired land as on 12.06.2000 was assessed @ Rs.1264/- per sq. yard. The landowners as well as the State of Haryana filed appeals in the Supreme Court which were disposed of with the following order dated 10.12.2024:-

“Delay in filing application for substitution is condoned.

Application for substitution is allowed.

Delay in filing restoration application is condoned.

Application for restoration is allowed.

Delay in filing Special Leave Petition(s) is condoned.

Leave granted.

Both these appeals lie in a very narrow compass. There are various land acquisition proceedings initiated by the issuance of notifications from time to time. On a prior occasion, this Court, insofar as the 1995 notification is concerned, was pleased to fix the compensation at Rs.1210 per square yard, by the order dated 11.03.2019. The village covered in the said 1995 notification is the same as the one covered in the present notification dated 12.06.2000, which we are concerned with.

We have also been informed that the High Court passed the impugned judgment without going into the merits of



**RFA-587-2009(O&M)
and other connected cases**

the case but rather placed reliance upon the earlier judgment of a coordinate bench of the High Court dated 06.10.2010 in RFA No. 2392/1997 titled 'Mukhtiyar Singh and Ors. Vs. State of Haryana' which has later been modified by this Court vide order dated 11.03.2019 in Civil Appeal No.2736/2019, titled "Balwant Singh (D) through LR Gurbinder Singh Vs. State of Haryana & Ors."

In view of the above, the Special Leave Petition filed by the State will have to be dismissed as even for the notification of the year 1995, the compensation is fixed as Rs.1210 per square yard, while in the impugned judgment concerning the notification of the year 2000, it has been fixed as Rs.1264 per square yard. Therefore, there is no question of reducing the compensation fixed by the High Court in the impugned judgment any further. The only issue is with respect to the enhancement of compensation. In such view of the matter, the Special Leave Petition filed by the State in SLP(C) Nos.8083-8101/2013 stands dismissed.

This leads us to the next issue which is the enhancement of compensation, sought in the Special Leave Petition filed by the claimants/landowners. While the learned senior counsel appearing for the claimants submitted that the same ratio as applied in Civil Appeal No. 2736 of 2019 will have to be applied in the present case with due addition for every year, learned counsel appearing for the State submitted that the same cannot be the basis in all cases.

We are not inclined to go into the said issue as the impugned judgment has been passed based on the earlier order of the High Court which has later been modified by this Court and, therefore, merits have not been gone into by the High Court.



**RFA-587-2009(O&M)
and other connected cases**

In such view of the matter, the appeal (Diary No.13781/2022) filed by the claimants/landowners is allowed by setting aside the impugned judgment for considering the question of enhancement alone. The High Court is requested to consider the question of enhancement in the appeal(s) filed by the claimants/landowners. All respective contentions are left open.

Inasmuch as we have dismissed the appeals (SLP(C) Nos.8083- 8101/2013) filed by the State, the compensation amount as fixed by the High Court, if not disbursed already, shall be deposited within a period of 12 weeks from today. On such deposit, liberty is given to the claimants to file appropriate applications for withdrawing the same, which obviously shall be without prejudice to their respective contentions in their pending appeals. Taking into consideration the fact that the acquisition is of the year 2000, we request the High Court to expedite the hearing and dispose of the appeals, preferably within a period of six months from today.

Accordingly, appeals SLP(C) Nos.8083-8101/2013) filed by the State stand dismissed and the appeal filed by the claimants/landowners (Diary No.13781/2022) stands allowed.

Pending application(s), if any, shall stand disposed of.”

4. Pursuant to the aforesaid observations of the Supreme Court, these appeals arising from notification dated 12.06.2000 have been taken up for hearing. Learned counsels representing the appellants contends that with respect to notification issued on 03.07.1995, the market value has been assessed at the rate of Rs. 1210/- per sq. yard. They submit that in the



**RFA-587-2009(O&M)
and other connected cases**

present case the notification was issued after a period of nearly 5 years of the previous notification. Hence, the landowners are entitled to assessment of the market value by granting increase at the rate of 12% per annum on Rs.1210/- per sq. yard because the notification on 03.07.1995 is with respect to acquisition of land for Sector 20A and 20B and present notification has been issued to acquire left out patch of the same sector.

5. Learned counsel representing the respondents submits that the Court should not grant 12% increase in the absence of concrete evidence.

6. This Court has considered the submissions made by the learned counsel representing the parties.

7. It is evident that the present notification dated 12.06.2000 is with respect to the left out portion/ patches of land whereas notification for acquiring major part of the land located in Sector 20A and 20B was issued 03.07.1995.

8. Keeping in view the aforesaid position, there is no difference in the location of the land which was acquired in the year 1995 as well as on 12.06.2000. Hence, it is considered appropriate to fix the market value by granting increase at the rate of 12% per annum on the base value of Rs.1210/- as on 03.07.1995, which comes to Rs.1,936/- per sq. yard.

9. The next batch is with respect to acquisition of left out patch of land in Sector 20A and 20B Village Daulatabad on 04.01.2001. These appeals are also disposed of by assessing the market value at the same analogy i.e by granting increase at the rate of 12% per annum on base value of Rs.1210 on 03.07.1995, for a period of 5 years and 6 months, which comes to Rs.2,010/- per sq. yard.



**RFA-587-2009(O&M)
and other connected cases**

10. Consequently, the appeals filed by the landowners are allowed whereas the appeals filed by the State of Haryana shall stand dismissed.

11. All the pending miscellaneous applications, if any, are also disposed of.

**(ANIL KSHETARPAL)
JUDGE**

07.05.2025

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No

Sr. No.	Case No.	Appellant(s)	Respondent(s)
1.	RFA-587-2009	SAMUNDAR SINGH	STATE OF HARYANA AND ANOTHER
2.	RFA-1809-2010	SUBHASH CHAND	STATE OF HARYANA AND ANOTHER
3.	RFA-2791-2009	RAMA	STATE OF HARYANA & ANOTHER
4.	RFA-1375-2007	STATE OF HARYANA AND OTHERS	SURESH KUMAR
5.	RFA-1630-2012	STATE OF HARYANA	GOBIND AND ANR
6.	RFA-2790-2009	SAJJAN KUMAR	STATE OF HARYANA AND ANOTHER
7.	RFA-2815-2010	GOBIND	STATE OF HARYANA AND ANOTHER
8.	RFA-3418-2009	STATE OF HARYANA	SAJJAN KUMAR AND ANR
9.	RFA-3419-2009	STATE OF HARYANA	RAMA AND ANR
10.	RFA-3420-2009	STATE OF HARYANA	M/S MITTAL REAL ESTATE AND ANR
11.	RFA-5032-2009	MITTAL REAL ESTATE AND FINANCE CO.	STATE OF HARYANA AND ANOTHER
12.	RFA-612-2007	SURESH KUMAR	STATE OF HARYANA



**RFA-587-2009(O&M)
and other connected cases**

			AND ANOTHER
13.	RFA-2808-2011	NUTUN SHARMA	STATE OF HARYANA & ANOTHER
14.	RFA-2809-2011	CHANDER DUTT SHARMA	STATE OF HARYANA & ANOTHER
15.	RFA-2810-2011	PARDEEP KUMAR SHARMA	STATE OF HARYANA & ANOTHER
16.	RFA-2811-2011	VIBHA SHARMA	STATE OF HARYANA & ANOTHER
17.	RFA-2812-2011	PARVEEN AHUJA	STATE OF HARYANA & ANOTHER
18.	RFA-2900-2011	RAM GOPAL AND OTHERS	STATE OF HARYANA AND ANOTHER
19.	RFA-4366-2011	SHAKUNTLA DEVI & OTHERS	STATE OF HARYANA & ANOTHER
20.	RFA-5176-2009	RAJENDER KUMAR BHATIA	STATE OF HARYANA AND OTHERS
21.	RFA-5177-2009	M/S DAMSON ENGINEERING WORKS AND ORS	STATE OF HARYANA
22.	RFA-5178-2009	SANTOSH GUPTA	STATE OF HARYANA
23.	RFA-5179-2009	GURBAX SINGH	STATE OF HARYANA
24.	RFA-5180-2009	JYOTI BAKSHI	STATE OF HARYANA
25.	RFA-5181-2009	RAJESH KUMAR BHATIA	STATE OF HARYANA AND OTHERS
26.	RFA-5182-2009	SURENDER SINGH	STATE OF HARYANA
27.	RFA-5183-2009	SANJEEV KHANNA AND ANR	STATE OF HARYANA
28.	RFA-5184-2009	VINA AND ANR	STATE OF HARYANA
29.	RFA-5185-2009	RAJ KUMAR BHATIA	STATE OF HARYANA AND OTHERS
30.	RFA-5476-2010	SHOBHA RAM AND OTHERS	STATE OF HARYANA
31.	RFA-5282-2014	NARAINI DEVI &	STATE OF HARYANA



**RFA-587-2009(O&M)
and other connected cases**

		ANR	& OTHERS
32.	RFA-6833-2015	STATE OF HARYANA AND ANOTHER	NARAINI DEVI AND OTHERS

07.05.2025

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**(ANIL KSHETARPAL)
JUDGE**