



RFA No.1823 of 1997 (O&amp;M)

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

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RFA No.1823 of 1997 (O&amp;M)

Date of Decision: 20.08.2025

**MAHABIR SINGH & ORS****.....Appellants****Vs****HARYANA STATE THROUGH COLLECTOR & ORS****....Respondent(s)****CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Sudhir Aggarwal, Advocate with  
Mr. Ishan Aggarwal, Advocate for the appellants.

Mr. Abhinash Jain, D.A.G., Haryana. .

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**HARKESH MANUJA, J. (Oral)**

[1]. By way of present appeal, challenge has been laid to the Award dated 04.06.1997 passed by the learned District Judge, Gurgaon (now Gurugram) (hereinafter to be referred as the 'Reference Court'), whereby Reference Petition filed under Section 18 of the Land Acquisition Act, 1894 (for short 'the Act') at the instance of appellants/landowners was decided while granting them a sum of Rs.38,733/- as compensation *qua* the trees mentioned in Statement No.19 besides awarding other statutory benefits/interest in their favour.

[2]. Briefly stating, the land owned by the appellants situated within the revenue estate of village Ghata, District Gurgaon (now Gurugram), came to be acquired vide Notification dated 16.04.1990 issued under Section 4 of the Act followed by an Award passed by the Land Acquisition Collector (for short 'the LAC') on 05.07.1990 in terms of Section 11 of the 1894 Act, thereby determining the market value of the acquired land. Thereafter supplementary Award No.3 dated 10.05.1991 was passed by the LAC regarding buildings, structures, tube well and trees upon the land in question.



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[3]. Aggrieved thereof, the appellant(s)-landowners invoked Reference under Section 18 of the Act, which came to be decided by the Reference Court vide its award dated 04.06.1997, and the compensation with respect to the trees was enhanced to Rs.38,733/- by relying upon ocular and documentary evidence led by the appellants/landowners in the form of expert witness PW-2 Ranbir Singh, a retired Forest Ranger and also his report as Ex.P-1; besides awarding all other statutory benefits, however no enhancement was awarded with respect to tubewell etc.

[4]. Primary grievance of the appellants in the present appeal relates to determination of enhancement towards cost(s) of tubewell only.

[5]. I have heard learned counsel for the parties and gone through the paper book.

[6]. Except the oral deposition of one of the appellant-Raj Pal, who appeared as PW-1 and went on to state that the cost of tubewell was Rs.1 lakh, no documentary evidence in the shape of any valuation report from the building expert or an Architect was ever produced in support of their claim by the appellants/landowners.

[7]. In such circumstances in the absence of any substantive evidence to support the claim of the appellants, no illegality or perversity can be found with the award passed by the Reference Court and consequently, the present appeal is hereby dismissed being devoid of merit.

[8]. All pending application(s), if any, shall stand disposed of.

**August 20, 2025**

*Atik*

**(HARKESH MANUJA)  
JUDGE**

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No