



118 (17 cases)

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

**Date of Decision: 09.10.2025
RFA No. 971 of 2005 (O&M)**

State of Haryana and ors.Appellants
Versus
Bharat Singh and ors.Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Abhinash Jain, DAG, Haryana.
for the appellants.

Mr.Rahul Vats, Advocate
for the respondents/ landowners.

HARKESH MANUJA, J. (ORAL)

This common decision deals with 17 Regular First Appeals, the details of which are provided in the footnote of this judgement. All these appeals stem from a common acquisition/award involving similar facts and legal questions. For brevity, facts are taken from **RFA No. 971 of 2005**.

2. The present appeal(s) challenge the decision dated 30.11.2004 passed by the learned Additional District Judge, Rohtak-cum-Reference Court. The appellants seek to set aside this decision and uphold the award dated 17.04.2001 passed by the Land Acquisition Collector, Rohtak (referred to as 'the LAC').

3. The Government of Haryana acquired 2.64 acres of land



within the revenue estate of Village Naya Bans, Tehsil and District Rohtak, for public purpose i.e. construction of '*Naya Bans to Lohar Heri Road*'. This acquisition was made in terms of notifications dated 05.05.1998 and 27.04.1999 issued under Sections 4 and 6 of the Land Acquisition Act, 1894 (for short 'the Act), respectively. The Land Acquisition Collector (LAC) assessed market value of the acquired land vide award dated 17.04.2001, besides granting all other statutory benefits under the Act, as follows:-

- i) Nehri land : @ Rs.2,00,000/- per acre
- ii) Barani/ Banjar Land : @ Rs.1,80,000/- per acre
- iii) Gair Mumkin Land : @ Rs.3,00,000/- per acre;

4. The respondents /landowners being dissatisfied with the award passed by the LAC, filed reference petitions invoking Section 18 of the Act. The learned Reference Court determined the market value of the acquired land at Rs. 4,00,000/- per acre and granted all other statutory benefits, including solatium, under the Act.

5. The appellants-State, dissatisfied with the award passed by the learned Reference Court, preferred instant appeals. The appellants sought to uphold the award passed by the LAC.

6. The learned counsel for the appellants-State argues that the learned Reference Court erred in discarding the sale deeds presented by the State in the form of Ex.R1 to Ex.R17. He contends that the sale deeds, particularly Ex.R5 to Ex.R9, indicate that the market price per acre for Nehri land ranged between Rs.1.15 lakhs



and Rs.2.10 lakhs. However, the learned Reference Court increased this price to Rs.4 lakhs per acre. The learned counsel emphasises that the evidence presented supports the LAC's award and argues that no interference was warranted by the learned Reference Court. Therefore, the present appeal(s) should be allowed.

7. On the other hand, the learned counsel for the respondents/landowners asserts that after reviewing the available evidence, the learned Reference Court made a well-reasoned award and that no interference was necessary in the present appeal.

8. Having heard the learned counsel for the parties and examined the papers and records of the appeal(s), I am unable to find any substance in the submissions made on behalf of the appellants- State.

9. In the circumstances of this case, the sale deeds produced by the appellant-State in the form of Exs. R5 to R17 have been rightly discarded by the learned Reference Court. The learned Reference Court has recorded a positive finding of fact regarding the sale instances Ex.R7 to Ex.R17, stating that all these transactions were executed between 26.10.1999 and 06.11.2002. These transactions occurred after the notification of Section 4 of the Act, which was issued on 05.05.1998.

10. Furthermore, in the context of the sale instances Ex. R5 and R6, although both pertain to the period before the issuance of notification under Section 4 of the Act, they were rightly discarded



because the land forming part thereof was situated far away from the acquired land and was rather adjoining the drain.

11. Similarly, the sale instance Ex. P2, which was produced on record by the respondents/landowners, was also discarded as it was a post-notification transaction. In humble opinion of this Court, the learned Reference Court rightly relied upon the sale exemplar Ex. P1 dated 09.04.1997, pertaining to 10 kanals of land forming part of rect. No. 39, Killa No. 14. As per this sale instance, the consideration per acre was Rs. 5.25 lakhs.

12. Upon a combined reading of the sale deed Ex. P1 dated 09.04.1997, which formed part of rect. No. 39 and the *aks shajra* placed on record by the State, a positive finding was recorded whereby it was found that the parcel of land forming part of the sale instance Ex. P1 and the acquired land existed in the same vicinity and were rather adjacent. It was also recorded that the nature of land forming part of Ex. P1 as well as the acquired land was Nehri.

13. On the contrary, no material has been presented by the learned counsel appearing on behalf of the appellants to show that the sale instance Ex. P1 dated 09.04.1997 was not a *bona fide* or genuine transaction or was not forming part of the land situated near the acquired chunk.

14. Considering the above, no interference is called for with the well-reasoned findings recorded by the learned Reference Court in the award dated 30.11.2004. Therefore, the present appeals, being



devoid of merits, are dismissed.

15. Pending any miscellaneous application(s), if any, shall also be disposed of.

09.10.2025
sanjay

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned? Yes/No
Whether Reportable? Yes/No

Sr. No.	Case No.
1.	RFA-972-2005 (O&M)
2.	RFA-973-2005 (O&M)
3.	RFA-974-2005 (O&M)
4.	RFA-975-2005 (O&M)
5.	RFA-976-2005 (O&M)
6.	RFA-977-2005 (O&M)
7.	RFA-978-2005 (O&M)
8.	RFA-979-2005 (O&M)
9.	RFA-980-2005 (O&M)
10.	RFA-981-2005 (O&M)
11.	RFA-982-2005 (O&M)
12.	RFA-983-2005 (O&M)
13.	RFA-984-2005 (O&M)
14.	RFA-985-2005 (O&M)
15.	RFA-1162-2005 (O&M)
16.	RFA-1163-2005 (O&M)

09.10.2025
sanjay

(HARKESH MANUJA)
JUDGE