



RFA-840-1993 & connected cases -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

104 (4 cases)

RFA-840-1993
Date of Decision: 13.07.2026

State of Haryana

...Appellant

Versus

Shamlat Deh Faridabad

...Respondent

With

Sr. No.	Case No.	Appellant(s)	Respondent(s)
2.	XOBJR-88-CI-2017 in RFA-840-1993	State of Haryana	Shamlat Deh Faridabad
3.	RFA-2097-2009	State of Haryana and another	Chander Datt
4.	RFA-1057-1994	Ram Chander and others	Sarpanch, Gram Panchayat and others

CORAM: HON’BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Abhinash Jain, Additional Advocate General, Haryana
(representing appellant in RFA-840-1993 & RFA-2097-2009)

Mr. Saarib Aggarwal, Advocate for the appellant
(in RFA-1057-1994)

Dr. Deepak Jindal, Advocate for objector
(in XOBJ-88-CI-2017 in RFA-840-1993)

Mr. Rajiv Sharma, Advocate
for Mr. Surinder Dutta, Advocate for respondent No.4
(in RFA-840-1993)

Mr. Sandeep Vermani, Advocate and
Mr. Aditya Vermani, Advocate and
Mr. Ajay Pal Singh, Advocate for respondent Nos.18 and 19
(in RFA-840-1993)

JAGMOHAN BANSAL, J. (Oral)

1. As common issues are involved in the captioned appeals, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from *RFA No.840 of 1993*.

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2. The appellant-State through instant appeal is seeking setting aside of award dated 18.03.1992 whereby learned Additional District Judge, Faridabad (hereinafter called as '**Reference Court**') has enhanced amount of compensation awarded by Land Acquisition Collector (for short '**Collector**').

3. The State Government issued notification dated 24.03.1971 under Section 4 of the Land Acquisition Act, 1894 (for short '**1894 Act**') for acquisition of 137-63 acres of land situated within the revenue estate of village Faridabad, Hadbast No.123, Tehsil Faridabad, District Gurgaon for the planned development of Sector 19 in Ballabhgarh, Faridabad controlled area. The said notification was followed by notification dated 30.11.1972 issued under Section 6 of 1894 Act.

4. The Collector, vide award dated 12.01.1973, in terms of provisions of 1894 Act, determined compensation payable to landowners. Market value of the acquired land was determined from ₹0.99 per sq. yards to ₹7.27 per sq. yards depending upon the location. Feeling dis-satisfied from aforesaid award, certain co-owners of *shamlat deh* of the village preferred petitions before the Collector which were referred to the Reference Court.

5. The State as well as the landowners, in support of their contentions, led their evidence. The State attempted to justify market value determined by Collector, however, landowners vehemently pleaded that value of their land has been assessed on lower side.

6. The Reference Court, while appreciating evidence led by both sides, by impugned award adjudicated the reference petition. The Reference Court has assessed market value of the acquired land @ ₹16/- per sq. yards.

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In this way, the Reference Court has enhanced market value ranging between 0.99 per sq. yards to ₹7.27 per sq. yards depending upon location (determined by Collector) to ₹16/- per sq. yards.

7. Learned counsel for the appellant-State fairly concedes that as per orders dated 20.05.2019 and 04.04.1986 passed by this Court in ***RFA No.2707 of 2000, State of Haryana v. Inder Singh & others*** and ***RFA No.877 of 1982, Bans Gopal v. State of Haryana***, the market value of land in question is ₹16/- per sq. yards. The Reference Court has rightly determined the amount. The State is also liable to pay benefit of additional compensation @ 12% per annum as per Sections 23(1-A) and 23(2) of 1894 Act.

8. Learned counsel for the landowners submits that Reference Court has not appreciated that adjoining land was auctioned and auction money was much more than value determined by Reference Court. The Court was supposed to consider auction money. Cut could be applied, however, auction price was bound to be considered.

9. Heard the arguments and perused the record.

10. In the wake of statement made by learned counsel for the appellant-State and orders dated 20.05.2019 and 04.04.1986 passed in ***Inder Singh (supra)*** and ***Bans Gopal (supra)***, State's appeals are liable to be dismissed and accordingly dismissed. The landowners are entitled to benefits available under Sections 23(1-A) and 23(2) of 1894 Act. If till date they have not been paid said benefit, they would be paid henceforth.

11. Learned counsel for landowners has attempted to dispute order passed by the Reference Court. He is claiming that Reference Court was



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supposed to consider auction of 867 sq. yards land which took place in 1969. The said land was in the vicinity of acquired land. The Reference Court has considered aforesaid argument and held that auction land was near to DTU Bus Stand. The said land could be put to commercial use, thus, sale price of said land cannot be used as contemporaneous sale. There is no contrary evidence on record. The landowners filed cross-objections in 2017 though appeal was filed in 1993. This Court has decided cases of other landowners and market value has been determined ₹16/- per sq. yards. In view of previous orders of this Court, market value of cross-objectors’ land cannot be enhanced.

12. In the backdrop, this Court does not find any legal or factual infirmity in the impugned order warranting interference. The appeals as well as cross-objection deserve to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

13.07.2026
Mohit Kumar

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