

**Cross Objection No. 174-CI-1999 in
RFA No. 1452 of 1997**

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

**Cross Objection No. 174-CI-1999 in
RFA No. 1452 of 1997
Date of Decision: 05.05.2015**

State of Haryana

.....Petitioner

Vs.

Hari Singh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Jagdish Manchanda, Advocate,
for the cross-objector.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

SABINA, J.

Land belonging to the cross-objector was sought to be acquired for construction of link road. A notification under Section 4 of the Land Acquisition Act, 1894 (for short 'the Act') was issued on 28.02.1972. The Collector vide its award dated 12.09.1986 assessed the market value of the land qua *Chahi Nehri* @ ₹9,000/- per acre, qua *Barani* @ ₹7,000/- per acre and qua *Ghair Mumkin* @ ₹4,000/- per acre.

Aggrieved against the said award, the cross-objector sought reference under Section 18 of the Act. The reference Court, vide its award dated 01.04.1997 assessed the market value of the acquired land @ ₹12,000/- per acre.

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I have heard learned counsel for the cross-objector as well as learned State counsel and have gone through the record available on the file carefully.

During the course of arguments, it has transpired that the appeal filed by the State against the award, passed by the reference Court has since been dismissed. Before the reference Court, cross-objector had tendered sale deed dated 14.06.1980 (Exhibit P-1). As per the said sale deed, the value of the acquired land was ₹18,000/- per acre. Learned reference Court rightly did not assess the market value of the land on the basis of the sale deed Exhibit P-1 as the same was executed in the year 1980 whereas in the present case the notification under Section 14 of the Act was issued in February, 1972. However, keeping in view the facts and circumstances of the case, learned reference Court has rightly assessed the market value of the land @ ₹12,000/- per acre.

In the facts and circumstances of the present case, the impugned order passed by the reference Court was calls for no interference.

Dismissed.

**(SABINA)
JUDGE**

May 05, 2015
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