IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA-4676-2017 (O&M)
Date of decision: 24.11.2021

Haryana State Industrial Development Corporation (now Haryana State Industrial and Infrastructure Development Corporation Limited)
....Appellant

Versus

Dhani Ram and others
..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. P.C. Dhiman, Advocate
for the appellants (in RFA-3480 to 3484 of 2017)

Mr. Anuj Balian, Advocate
for appellant (in RFA-225, 226, 227, 228, 229, 230, 231 and 232 of 2018)
for respondent No.4 (in RFA-5290 of 2017)

Mr. Sandeep Lather, Advocate
for appellant (in RFA-362 of 2019)

Mr. Naveen Thakur, Advocate
for the appellant (in RFA-4031 of 2018)

Mr. M.L. Sharma, Advocate
for appellants (in RFA-2779 to 2786, 2961, 2966, 3149 to 3152, 5509 of 2017, RFA-1427 and 87 of 2018)
for respondents (in RFA-4714, 4716, 4718, 4719, 4722, 4723, 4725, 4728, 4729, 4732, 4748, 4774, 4831, 4824, 4720, 4717 and 4833 of 2017)

Mr. Sunil Bhardwaj, Advocate
for appellants (in RFA-4696 of 2017, RFA- 4604, 5140 and 5141 of 2018)

Mr. Abhay Chauhan, Advocate
for appellants (in RFA-4576 to 4582, 5198, 4583, 4584, 4585 of 2017, RFA-40 and 8 of 2020)

Mr. Pawan Sharma, Advocate
for cross-objector (in XOBJR-31 and 32 of 2020)

Mr. Shoaib Khan, Advocate, and
Mr. M.K. Chouhan, Advocate

for appellants.

Ms. Ekta Thakur, Advocate
for appellant (in RFA-4045 of 2017).

Mr. Ajit Singh Lamba, Advocate
for the respondents (in RFA-4897 and 4852 of 2017)

Mr. G.S. Rawat, Advocate
for respondents (in RFA-4724, 4827 and 4695 of 2017)

Mr. Parshotam Lal Singla, Advocate
for appellants (in RFA-3857, 3858, 3859 and 3860 of 2017
for respondents (in RFA-4670 and 4757 of 2017)

Mr. Gopal Soni, Advocate
for Mr. Akshay Kumar Jindal, Advocate
for landowners.

Mr. Rayhan Khan, Advocate
for landowner.

Mr. Ashwani Chopra, Sr. Advocate
with Mr. Pritam Singh Saini, Advocate
and Mr. Vidul Kapoor, Advocate
for HSIIDC.

Mr. Shivendra Swaroop, AAG, Haryana, and
Ms. Vibha Tiwari, AAG, Haryana.

ANIL KSHETARPAL, J

1. By this judgment, a batch of Regular First Appeals and cross objections, (detail whereof is on the foot of the judgment), filed under Section 54 of the Land Acquisition Act, 1894, (hereinafter referred to as 'the 1894 Act') shall stand disposed of. Learned counsel representing the parties are ad idem that all the appeals in the present bunch of cases can be conveniently disposed of by a common judgment. In fact, the Reference Court has passed a consolidated judgment while deciding 108 reference petitions filed under Section 18 of the 1894 Act. The necessary particulars of the acquisition are as under:-

Date of notification under Section 4	Date of notification under Section 6 of 1894 Act	Award no.4	Total Land	Name of village and measurement of the land acquired therein
15.12.2008	18.12.2009	12.12.2011	568 acres 3 kanals 12 marlas	**Alipur** (143 Acres 1 kanal and 13 marlas) **Toka** (24 Acres 4 kanals and 14 marlas) **Khangesra** (352 Acres 5 kanals) **Naggal** (4 Acres 3 kanals and 15 marlas) **Sukhdarshanpur** (2 Acres 7 kanals and 14 marlas) **Khatauli** (38 Acres 4 kanals and 14 marlas)

2. The Land Acquisition Collector (hereinafter referred to as 'the LAC') assessed the market value at the rate of Rs.30,00,000/-per acre, whereas the Reference Court, vide an award dated 31.01.2017, assessed the market value of the acquired land at the rate of Rs.41,17,820/- per acre. The landowners claim that the acquired land is not only located at a prime location near Kot Ballah, Urban Complex, but is also located within the municipal limits of the Municipal Corporation, Panchkula. They claim that the Government has fixed the market value of the acquired land at Rs.72,00,000/-per acre. Per contra, the State claims that the acquired land is neither located near the residential Sector 7 and 8 of Panchkula nor located near Kot Ballah, Urban Complex and Industrial Estate, Alipur. Therefore, the market value assessed by the LAC is fair and reasonable. It is denied that the Government has fixed the rate of Rs.72,00,000/-per acre for the land situated within the limits of the Municipal Corporation, Panchkula.

3. On appreciation of the pleadings, the Reference Court framed the following issues:-

> "1) What was the market value of the acquired land at the time of notification under Section 4 of the Land Acquisition Act? OPP.
>
> 2) Relief."

4. Evidence produced by the parties

4.1 Oral evidence of the landowners

The landowners, in order to prove their case, have examined the following witnesses (as recorded in the judgment of the Reference Court):-

PW1 Baljinder Singh s/o Noordhan Singh

PW2 Parveen Kumar, Assistant Town Planner from the office of District Town Planner.

PW3 Sanjiv Kumar, Clerk of the office of DRO

PW4 Ram Nath Field Kanungoo

PW5 Ranbir Singh Deswal, Field Kanungoo

PW6 Harjit Singh s/o Balwant Singh

PW7 Ujagar Singh s/o Niranjan Singh

PW8 Swaran Singh S/o Gurdial Singh

PW9 Gian Singh s/o Waryam Singh

PW10Harjinder Singh s/o Ajaib Singh

PW11Jarnail Singh s/o Kehar Singh

PW12Ujagar Singh s/o Niranjan Singh

PW13Lekh Raj, Halqa Patwari Village Batod

PW14Narender Singh Halqa Patwari Barwala

PW15 Ram Niwas, Architect of District Courts

PW16 Parveen Kumar Gupta, Asstt. Town Planner from the office of District Town Planner, Panchkula

PW17Rohit Kumar, Manager (IA), HSIDC, Barwala."

4.2 Documentary evidence of the landowners

Apart from this, the landowners have also produced the following documentary evidence:-

> "**Ex. PW1/B** – Award
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> **PW2/A** Total plan of District Panchkula
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> **PW2/B** – Lay out plan of Billa, Kot
> **PW2/C** – Layout plan of HSIDC Panchkula Extension
> **PW2/D** – Layout plan of Sector-16, Panchkula Ext.-II
> **PW-2/E** – Layout plan of Extension II Panchkula consisting of Sectors 12-12A, 13-13A.
> **PW2/F** – Layout plan of Sector-14 Extension-II, Panchkula.
> **PW3/A** – Notification u/s 4 dated 16.06.1992 regarding acquisition of land of Village Alipur i.e. earlier acquisition of HSIDC for setting up Industrial Estate.
>
> **PW3/B** – Notification u/s 6 dated 17th June 1993 regarding land of Village Alipur for setting up Industrial Estate Barwala.
>
> **Ex.PW3/C** is the Award No. 1 of 1994-1995 vide which land measuring 823.19 kanals equivalent to 102.99 acres was acquired of Village Alipur.
>
> **Ex.PW3/D** – Notification dated 15.12.2008 vide which the present land has been acquired.
>
> **Ex.PW3/E** is notification dated 18.12.2009 u/s 6 of the Land Acquisition Act vide which the present land has been declared to be acquired.
>
> **Ex.PW3/F** – Award dated 12.12.2011 vide which the present land has been acquired.
>
> **PW4/P** – Aks Shijra of Village Khangesra.
> **PW4/Q** – Aks Shijra of Village Kot.
> **Ex. PW5/A** – Als Shijra of Village Palsara.
> **Ex.PW5/B** – Aks Shijra of Village Alipur.
> **Ex.PW5/C** – Aks Shijra of Village Naggal.
> **Ex.PW5/D** – Aks Shijra of Village Jaloli.
> **Ex.PW5/E** – Aks Shijra of Village Barwala.
> **Ex.PW5/F** – Aks Shijra of Village Batod.
> **Ex.PW5/G** – is Panchkula Extension Draft Layout Plan – 2031.
> **Ex. PW12/59** – joint Aks Shijra of Villages Alipur. Toka, Khangesra, Naggal, Sukhdarshanpur and Khatoli under acquisition.
> **PW12/60** – Joint Aks Shijra of aforesaid villages under acquisition.
> **Ex.PW12/61** – Layout plan of HSIDC showing the

acquired land in the present case in red line of all the villages.
Ex.PX/1 – Notification dated 24.12.2013.
Ex.PX/2 – Notification dated 30.09.2014."

Ex. PX/3 to PX/12 – Awards of different villages vide which the land for four-laning have been acquired in the aforesaid villages from Village Barwala to Panchkula."

4.3 The landowners have also produced various sale deeds in order to prove the market value of acquired land which have been summarized in a tabulated form as under:-

Name of Village Alipur/Khagasra/Barwala/Kot/Billa

Sr. No.	Exhibit No.	Produced before the Court of	Date of Sale Deed	Area	Total Price	Price Per Acre	Village	Type of Land
1.	PW4/A	ADJ, Panchkula	13.05.2008	450 Sq. Meters	2975000	26756605	Alipur	Commercial
2.	PW4/8	-do-	03.01.2007	1A 3K 17M	7406250	5000000	Khagasra	Chahi
3.	PW4/C	-do-	03.01.2007	1A 6K 17M	9281250	5000000	Khagasra	-do-
4.	PW4/D	-do-	03.01.2007	3A 2K 10M	16562500	5000000	Khagasra	-do-
5.	PW4/E	-do-	04.06.2007	7A 2K 10M	36562500	5000000	Khagasra	-do-
6.	PW4/F	-do-	04.01.2008	1A 3K 8M	8550000	6000000	Kot	-do-
7.	PW4/G	-do-	28.01.2008	1A 4K	8775000	5850000	Kot	-do-
8.	PW4/H	-do-	22.08.2007	1 Acre	5700000	5700000	Kot	-do-
9.	PW4/1	-do-	19.09.2007	6A 4K 14M	38171250	5794497	Kot	-do-
10.	PW4/J	-do-	19.09.2007	2A 5K 3M	15484218	5856915	Kot	-do-
11.	PW4/K	-do-	09.10.2007	2A 5K 12M	15795000	5717647	Kot	-do-
12.	PW4/L	-do-	22.08.2007	1 Acre	5700000	5700000	Kot	-do-
13.	PW4/M	-do-	28.01.2008	1 Acre	5850000	5850000	Kot	-do-
14.	PW4/N	-do-	24.04.2006	2 Kanal	3000000	12000000	Billa	Brani
15.	PW4/O	-do-	12.12.2008	3 Marlas	200000	10666667	Billa	Residential
16.	P12/1 (Same as PW4/D)	-do-	03.01.2007	3A 2K 10M (530 Marlas)	16562500	5000000	Khagasra	Chahi
17.	P12/2 (Same as PW4/B)	-do-	03.01.2007	1A 3K 17M (237 marlas)	7406250	5000000	Khagasra	-do-

18.	P12/3 (Same as PW4/C)	-do-	03.01.2007	1A 6K 17M Acre (297 marlas)	9281250	5000000	Khagasra	-do-
19.	P12/4 (Same as PW4/E)	-do-	04.06.2007	7A 2K 10M	36562500	5000000	Khagasra	-do-
20.	P12/5 (Same as PW4/A)	-do-	13.05.2008	450 Sq. Meters	2975000	26756604	Alipur	Commercial
21.	P12/6	-do-	26.03.2009	450 Sq. Meters	2460500	22129286	Alipur	-do-
22.	P12/8	-do-	28.04.2009	15200 Sq. Ft.	4700000	1484230	Barwala	Commercial
23.	P12/9	-do-	19.05.2009	1697.50 Sq. Ft.	1905000	5387063	Alipur	Commercial
24.	P12/10	-do-	11.06.2009	250 Sq. Meters	1932500	31295546	Barwala	Commercial
25.	P12/11	-do-	21.07.2009	1000 Sq. Meters	5710365	23113038	Alipur	Commercial
26.	P12/12	-do-	23.07.2009	1000 Sq. Meters	2300000	9309385	Alipur	Commercial
27.	P12/13	-do-	23.07.2009	250 Sq. Meters	800000	12955465	Alipur	Commercial
28.	P12/14	ADJ, Panchkula	20.07.2009	250 Sq.Meters	1932500	31295547	Barwala	Commercial
29.	P12/15	-do-	18.08.2009	100 Sq.Meter	5819081	23553072	Alipur	Commercial
30.	P12/16	-do-	27.08.2009	450 Sq.Meters	2510000	22574480	Alipur	Commercial
31.	P12/17	-do-	03.09.2009	1875Sq.Meters	12400000	26763793	Alipur	Commercial
32.	P12/18	-do-	01.10.2009	450 sq. Meters	2494430	22434446	Alipur	Commercial
33.	P12/19	-do-	10.12.2009	450Sq. Meters	2850000	25632378	Alipur	Commercial
34.	P12/20	-do-	22.12.2009	450 Sq.Meters	3110770	27977695	Alipur	Commercial
35.	P12/21	-do-	23.12.2009	250 Sq.Meters	1650000	26720648	Barwala	Commercial
36.	P12/22	-do-	12.01.2010	450 Sq. Meters	1500000	13490725	Barwala	Commercial
37.	P12/23	-do-	12.01.2010	1875 Sq. Meters	2100000	4532578	Alipur	Commercial
38.	P12/24	-do-	25.03.2010	2100 Sq. Meters	8500000	16381595	Barwala	Commercial
39.	P12/25	-do-	15.04.2010	1000 Sq. Meters	6480000	26228181	Alipur	Commercial
40.	P12/26	-do-	20.07.2010	450 Sq. Meters	2900000	26082069	Alipur	Commercial
41.	P12/27	-do-	22.07.2010	250 Sq. Meters	1621000	26251012	Barwala	Commercial
42.	P12/28	-do-	07.09.2010	1000 Sq. Meters	1700000	6880850	Alipur	Commercial

43.	P12/29	-do-	28.09.2010	1000 Sq. Meters	4000000	16190235	Alipur	Commercial
44.	P12/30	-do-	11.10.2010	450 Sq. Meters	2950000	26531759	Alipur	Commercial
45	P12/31	-do-	14.10.2010	1000 Sq. Meters	5200000	21047306	Barwala	Commercial
46.	P12/32	-do-	19.10.2010	250 Sq. Meters	1050000	17004049	Barwala	Commercial
47	P12/33	-do-	11.11.2010	1000 Sq. Meters	6521500	26396155	Alipur	Commercial
48.	P12/34	-do-	13.01.2011	1000 Sq. Meters	2600000	10523653	Alipur	Commercial
49.	P12/35	-do-	31.03.2011	250 Sq. Meters	2350000	38056680	Barwala	Commercial
50.	P12/36	-do-	07.04.2011	1000 Sq. Meters	3000000	12142676	Alipur	Commercial
51.	P12/37	-do-	28.04.2011	250 Sq. Meters	1540000	24939271	Alipur	Commercial
52.	P12/38	-do-	19.05.2011	4 Marla	240000	9600000	Alipur	Residential
53.	P12/39	-do-	07.06.2011	1000 Sq. Meters	8850000	35820895	Alipur	Commercial
54.	P12/40	-do-	07.06.2011	250 Sq. Meters	2655000	42995951	Alipur	Commercial
55.	P12/41	-do-	09.06.2010	250 Sq. Meters	3250000	52631579	Alipur	Commercial
56.	P12/42	-do-	07.07.2011	2100 Sq. Meters	20600000	39701277	Alipur	Commercial
57.	P12/43	-do-	14.07.2011	1875 Sq. Meters	12000000	25900445	Alipur	Commercial
58.	P12/44	-do-	26.07.2011	450 Sq. Meters	3200000	28780214	Alipur	Commercial
59.	P12/45	-do-	04.08.2011	1000 Sq. Meters	4000000	16190235	Alipur	Commercial
60.	P12/46	-do-	11.08.2011	450 Sq. Meters	4166501	37472746	Alipur	Commercial
61.	P12/47	-do-	29.09.2011	250 Sq. Meters	2800000	45344129	Balwala	Commercial
62.	P12/48	-do-	20.12.2011	312.5 Sq. Meters	3437000	44527935	Barwala	Commercial
63.	P12/49	-do-	14.06.2012	450 Sq. Meters	4930000	44339517	Alipur	Commercial
64.	P12/50	-do-	26.07.2012	250 Sq. Meters	2500000	40485830	Alipur	Commercial
65.	P12/51	-do-	14.08.2012	450 Sq. Meters	4300000	38673412	Alipur	Commercial
66.	P12/52	-do-	16.08.2012	450 Sq. Meters	4362500	39235526	Barwala	Commercial
67.	P12/53	-do-	18.10.2012	250 Sq. Meters	3000000	48582995	Barwala	Commercial
68.	P12/54	-do-	01.01.2013	2100 Sq. Meters	14000000	26981450	Barwala	Commercial
69.	P12/55	-do-	12.03.2013	1000 Sq. Meters	12480000	50513534	Alipur	Commercial
70.	P12/56	-do-	16.01.2014	1000 Sq. Meters	11132458	45059278	Alipur	Commercial

71.	P12/57	-do-	03.02.2014	510 Sq. Meters	5603338	44470936	Alipur	Commercial
72.	P12/58	-do-	06.06.2014	1000 Sq. Meters	9500000	38451809	Barwala	Commercial
73.	R/1	-do-	04.12.2008	10 Marlas	260000	4160000	Toka	Borani

4.4 Oral and documentary evidence produced by HSIIDC

On the other hand, HSIIDC, Barwala, examined Rohit Kumar, Manager, AI Sub Division, Barwala, as RW1 and proved the sale deed dated 05.11.2008 with respect to a plot measuring 10 marlas. The HSIIDC has also produced Ex.R2, a copy of the award passed by the LAC.

5. Findings of the Reference Court:-

5.1 The Reference Court, after examining the record, has held that the sale instances from Ex.PW4/O onwards are irrelevant because all these sale deeds are with respect to sale of developed industrial plots, which cannot be relied upon while assessing the market value of the acquired land. The reference Court has also observed that four sale exemplars are produced with respect to the land located in village Khangesra. These sale instances namely Ex.PW4/B = P12, Ex.PW4/C = P12/3, Ex.PW4/D =P12/1 and Ex.PW4/E =P12/4 have been executed during the contemporaneous period, hence, they are found to be comparable to the land acquired on the relevant date of notification. The Reference Court has further found that the various parcels of land purchased through the three sale deeds i.e Ex.PW4/B, PW4/C and PW4/D are part of the present acquisition and therefore, are required to be relied upon for assessing the market value of the acquired land. The Reference Court has committed an arithmetical error in taking the average sale price of the above referred sale deeds at the rate of Rs.61,46,000/- per acre whereas the learned counsel representing the parties are ad idem that the afore-mentioned parcels of land have been purchased at the rate of Rs.50,00,000/- per acre. The Reference Court, thereafter, applied a deduction of 1/3rd on the market value calculated by it and finally, assessed the market value of the acquired land at the rate of Rs.41,17,820/- per acre.

5.2 The learned counsel representing the various appellants contends that the Reference Court has committed an error in applying the development cut of 1/3rd on the market value while overlooking the fact that the cut of 1/3rd is too excessive. While relying upon the judgments of the Supreme Court, in ***Atma Singh vs. State of Haryana (2008) 2 SCC 568*** **and Trishala Jain and another vs. State of Uttaranchal and another (2011) 6 SCC 47,** they pray that the Reference Court, at the most, could deduct 10% of the amount**.** The learned counsels have also referred to the statement of Parveen Kumar Gupta, Assistant Town Planner, Panchkula, who has admitted that village Kot is adjoining to the acquired land. Sh. M.L.Sharma, learned counsel representing the appellants, has contended that the Reference Court has erred in assessing the market value of the acquired land by overlooking the sale exemplar of the highest price pertaining to the contemporaneous period. He submits that in view of the judgment passed in **Mehrawal Khewaji Trust vs. State of Punjab (2012) 5 SCC 432**, the Court has erred in averaging the price of the various sale exemplars.

5.3 On the other hand, learned counsel representing the HSIIDC has contended that the Reference Court has not only erred in calculating the amount but has also committed an error in overlooking the evidence produced. Learned Senior Counsel, therefore, contends that the appeals filed by the HSIIDC deserve acceptance.

5.4 Heard learned counsel for the parties and with their able assistance perused the judgment passed by the Reference Court as also the record, which was requisitioned.

5.5 In the considered view of the Court, the following questions arise for consideration:-

> i) "Whether while assessing the market value of the acquired land under the Land Acquisition Act, 1894, it is mandatory for the Court to impose a development cut or deduction when the base value is arrived at on the basis of the sale exemplars of sufficiently large tract of land available for the contemporaneous period?
>
> (ii) Whether the Court is required to include the assumed increase in the market value with respect to the time gap between the date of the sale exemplar and the date of notification under Section 4 of the 1894 Act?

5.6 Before this Court proceeds to assess the market value, it is considered appropriate to note the relevant statutory provisions. Section 23 to 25 of the 1894 Act are extracted as under:-

> "**23. Matters to be considered in determining compensation (1**) In determining the amount of compensation to be awarded for land acquired under this Act, the Court shall take into consideration—
>
> first the market-value of the land at the date of the publication of the [notification under Section 4, sub-section (1)

secondly the damage sustained by the person interested, by reason of the taking of any standing crops or trees which may be on the land at the time of the Collector's taking possession thereof;

thirdly the damage (if any) sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of severing such land from his other land;

fourthly the damage (if any) sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of the acquisition injuriously affecting his other property, movable or immovable, in any other manner, or his earnings;

fifthly if, in consequence of the acquisition of the land by the Collector, the person interested is compelled to change his residence or place of business, the reasonable expenses (if any) incidental to such change, and

sixthly the damage (if any) *bona fide* resulting from diminution of the profits of the land between the time of the publication of the declaration under Section 6 and the time of the Collector's taking possession of the land.

[(1-A) In addition to the market-value of the land, as above provided, the Court shall in every case award an amount calculated at the rate of twelve per centum per annum of such market-value for the period commencing on and from the date of the publication of the notification under Section 4, sub-section (1), in respect of such land to the date of the award of the Collector or the date of taking possession of the land, whichever is earlier.

Explanation.—In computing the period referred to in this sub-section, any period or periods during which the proceedings for the acquisition of the land were held up on account of any stay or injunction by the order of any court shall be excluded.]

(2) In addition to the market-value of the land, as above provided, the Court shall in every case award a sum of[thirty per centum] on such market-value, in consideration of the compulsory nature of the acquisition.

24. Matters to be neglected in determining compensation -But the Court shall not take into consideration—

first, the degree of urgency which has led to the acquisition;

secondly, any disinclination of the person interested to part with the land acquired;

thirdly, any damage sustained by him, which, if caused by a private person, would not render such person liable to a suit;

fourthly, any damage which is likely to be caused to the land acquired, after the date of the publication of the declaration under Section 6, by or in consequence of the use to which it will be put;

fifthly, any increase to the value of the land acquired likely to accrue from the use to which it will be put when acquired;

sixthly, any increase to the value of the other land of the person interested likely to accrue from the use to which the land acquired will be put;

seventhly, any outlay or improvements on, or disposal of, the land acquired, commenced, made or effected without the sanction of the Collector after the date of the publication of the [notification under Section 4, sub-section (1)]; or

[*eighthly*, any increase to the value of the land on account of its being put to any use which is forbidden by land or opposed to public policy.]

25 Amount of compensation awarded by court not to be lower than the amount award by the Collector - The amount of compensation awarded by the Court shall not be less than the amount awarded by the Collector under Section 11."

6. Discussion:-

6.1 The first question is whether it is appropriate on the part of the Reference Court to deduct 1/3rd amount from the market value towards the utilization of the land for roads, drains, parks and other common facilities as well as the development cost. The Reference Court has relied upon the judgment passed in **Andhra Pradesh Housing Board vs. K**

Manohar Reddy and others 2010 (12) SCC 707. This Court has carefully read the aforesaid judgment. In para 14, the court, after observing that the sale instances of smaller plots of land have been produced as exemplars, considered it appropriate to apply deduction of 1/3rd amount to arrive at a reasonable and fair valuation. The second judgment relied upon by the Court is in **Lukhnow Development Authority vs. Krishan Gopal and others 2008 (1) SCC 554**. On its careful reading, it is evident that the aforesaid judgment is peculiar to the facts of that case wherein the court held that 25% of deduction towards development shall be appropriate. The Reference Court has also relied upon the judgment passed in **Bhupal Singh and others vs. State of Haryana and others 2015 (5) SCC 802**. In this judgment the court was determining the market value of the acquired land situated in various villages of Tehsil Balabgarh, District Faridabad. This case was also decided on the basis of the evidence led by the parties.

6.2 This Bench has recently examined the aforesaid issue in the **Jai Singh vs. State of Haryana and others** (RFA-3000-2016 decided on 15.11.2021). The relevant discussion on the issue is as under:-

> "7.2 Let us first examine the statutory provisions. It is clear that the Legislature never intended that the Court must apply a cut/deduction in each and every case. Rather, it has been laid down that while acquiring the land, the landowners, who stand deprived of the property against their wishes, shall be held entitled to a sum of 30% on such market value in lieu of the compulsory and involuntary nature of acquisition. In common legal parlance, this amount is called solatium. This part of the amount is in the nature of compensation to the owner for depriving him of his property without his consent.
>
> 7.3 This Bench has carefully

surveyed/examined the various judgments passed by the courts from time to time providing for deduction or moderation of the market value. In ***Lal Chand vs. Union of India, (2009) 15 SCC 769***, the Court held that 'the deduction for development' consists of two components. The first component is with reference to the area required to be utilized for the development work. In other words, whenever the acquisition is for carrying out a developmental work like setting up a residential/commercial or industrial township in the area, then a certain part of the acquired land is required to be utilized for carving out passages, roads, drains, parks and other facilities. The second component for calculating such deduction is with regard to the cost of such development work to be carried out by the acquiring agency. Further, in ***Haridwar Development Authority vs. Raghbir Singh and others (2010) 11 SCC 581***, the Supreme Court held that when the market value of a large tract of agricultural land has to be determined with reference to a price fetched by the sale of a small residential plot, it is necessary to make appropriate deduction towards the development cost to arrive at an appropriate value for such large tracts of land. The court held that the deduction can range between 20% to 75% depending upon the facts and circumstances of each case.

7.4 While applying 47% cut/deduction on the average market value arrived at, the Reference Court relied upon various judgments passed by the Supreme Court which are required to be analyzed. In ***Anjani Molu Dessai vs State Of Goa & Anr (2010) 13 SCC 710***, the Court held that ordinarily calculating/creating an average of the various sale exemplars is not permissible. The sale exemplar of highest market value should be preferred in the absence of any evidence to the contrary. It was further held that in case of several sale exemplars of comparable pieces of land, the average should be calculated on the basis of the prices of the exemplars ranging in a narrow bandwidth. In this case, the Hon'ble Supreme Court was assessing the market value of 3,65,375 square meter of land in village Balli, Goa. The LAC had deducted 45% from the market value depicted in the sale exemplar. In para 16, the Supreme Court held that no deduction is permissible in a case where the sale is of a comparable land of reasonable size, which is extracted as under:-

> "**16.** The Land Acquisition Collector however committed a serious error in deducting 45% from the sale price disclosed by the sale deed dated 30- 8-1989 towards the cost of development. It is well settled that deduction for development cost has to be made only where the value of a small residential/commercial/industrial plot of land in a developed layout is made the basis for arriving at the market value of a nearly large tract of undeveloped agricultural land. Where the land sold under the relied upon sale deed and the acquired lands are both of similar nature (as in this case where both are bharad lands) the question of making any deduction towards development cost to arrive at the cost of "undeveloped land" would not arise. Such a deduction would have been necessary if the sale deed relied upon related to a developed residential or commercial plot. Therefore, we are of the view that the Land Acquisition Collector was not justified in making 45% deduction from the price disclosed by the sale deed dated 30-8-1989."

7.5 In ***Atma Singh vs. State of Haryana (2008) 2 SCC 568***, the Supreme Court was into assessing the market value of the land acquired for a Sugar factory. It was observed that the sale exemplars of small parcels of land have been produced to assess the market value of a large tract of acquired land. In those circumstances, the court permitted 10% deduction towards the development of common facilities.

7.6 In ***Chakas vs. State of Punjab, (2011) 12 SCC 128***, the Supreme Court allowed 10% cut to be applied for common facilities as a considerably big chunk of undeveloped parcel of the acquired land was allotted to an industrial conglomerate. Thus, the court applied a cut of 10%
for the development.

7.7 In ***General Manager, Oil and Natural Gas Corporation Ltd. vs. Rameshbhai Jivanbhai Patel and another, (2008) 14 SCC 745***, the Court deliberated on the percentage of increase which should be presumed by the court in the absence of any other material. This judgment lays down the general guidelines in the absence of any other material available for determination of the increase to be awarded.

7.8 In ***Chandrashekhar(D) by LRs and others vs. Land Acquisition Officer and another, (20120 1 SCC 390***, the court found out that the sale deed exemplar is with respect to a small piece of land of a developed site and that too with respect to the period post the date of notification under Section 4. The court declared that in the facts and circumstances of the particular case, deduction upto 75% is permissible.

7.9 In ***A.P. Housing Board vs K. Manohar Reddy & Ors. (2010) 12 SCC 707***, the court held that when a large tract of land is acquired and the sale exemplars produced are of the smaller plots, the best course for the court to arrive at a reasonable and fair valuation, is to deduct a reasonable percentage from the valuation shown in the sale exemplar of the land and to arrive at a fair valuation on the basis thereof.

"7.10 In ***Shaji Kuriakose And Anr vs Indian Oil Corpn. Ltd. And Ors. (2001) 7 SCC 650***, the court held that in case of a dissimilarity in respect of locality, shape, size or value of the land between the land covered by the sale exemplar and the land acquired, the court can proportionately reduce the value. The court inter-alia noticed five factors to be applied while assessing the fair market value of the acquired land. The court further went on to hold that in a case where the sale exemplar fulfils all the factors, required to be fulfilled, then, there is no reason for not awarding the price similar to the market value as ascertained in the relevant sale deed exemplar. The relevant discussion is in para 3 which is extracted as under:-

> "3. It is no doubt true that courts adopt comparable sales method of valuation of land while fixing the market value of the acquired land. While fixing the market value of the acquired land, comparable sales method of valuation is preferred than other methods of valuation of land such as capitalisation of net income method or expert opinion method. Comparable sales method of valuation is preferred because it furnishes the evidence for determination of the market value of the acquired land at which a willing purchaser would pay for

the acquired land if it had been sold in the open market at the time of issue of notification under Section 4 of the Act. However, comparable sales method of valuation of land for fixing the market value of the acquired land is not always conclusive. There are certain factors which are required to be fulfilled and on fulfilment of those factors the compensation can be awarded, according to the value of the land reflected in the sales. The factors laid down inter alia are: (*1*) the sale must be a genuine transaction, (*2*) that the sale deed must have been executed at the time proximate to the date of issue of notification under Section 4 of the Act, (*3*) that the land covered by the sale must be in the vicinity of the acquired land, (*4*) that the land covered by the sales must be similar to the acquired land, and (*5*) that the size of plot of the land covered by the sales be comparable to the land acquired. If all these factors are satisfied, then there is no reason why the sale value of the land covered by the sales be not given for the acquired land. However, if there is a dissimilarity in regard to locality, shape, site or nature of land between land covered by sales and land acquired, it is open to the court to proportionately reduce the compensation for acquired land than what is reflected in the sales depending upon the disadvantages attached with the acquired land. In the present case, what we find is that the first two factors are satisfied. The sale transaction covered by the sale Ext. A-4 is genuine, inasmuch as the sale was executed in proximity to the date of notification under Section 4 of the Act. However, there is a difference in the similarity in the land acquired and the land covered by Ext. A-4. The land covered by Ext. A-4 is situated at Kottayam and Ernakulam, PWD Road, whereas the acquired land is situated at a distance of 3 furlongs from the main road. There is no access to the acquired land and there exists only an internal mud road which belonged to one of the claimants, whose land has also been acquired. Further, the land covered by Ext. A-4 is a dry land and whereas the acquired land is a wetland. After acquisition, the acquired land has to be reclaimed and a lot of amount would be spent for filling the land. Moreover, the land covered by

Ext. A-4 relates to a small piece of land which does not reflect the true market value of the acquired land. It is often seen that a sale for a smaller plot of land fetches more consideration than a larger or bigger piece of land. For all these reasons, the High Court was fully justified in lowering the rate of compensation than what was the market value of the land covered by Ext. A-4. We, therefore, do not find any infirmity in the judgment of the High Court.

7.11 The learned senior counsel relies upon the judgment in **Sajan(supra)**, to contend that 20% deduction would be appropriate in the present cases. This court has carefully read the aforesaid judgment in which the land was compulsorily acquired for Hiwera Dam Project. The acquired land was measuring around 6 acres. The court while referring to the judgment passed in **Lal Chand (supra)** held that 20% deduction would be appropriate. The next judgment relied upon by the learned counsel is in ***Subh Ram (supra)***. In this case, the compulsory acquisition was for establishment of a jail. In para 16 of the judgment, the court held that when the price of the small residential plot is required to be adjusted to work out the market value of the large tract of undeveloped land, the appropriate deduction to the extent of 75% can be ordered. On the other hand, where the value of the acquired land is being assessed with reference to the sale of an adjacent agricultural land, no deduction is required to be made towards the development cut. Para 16 of the aforesaid judgment is extracted as under:-

"Therefore, when deduction is made from the value of a small residential plot towards the development cost, to arrive at the value of a large tract of agricultural or undeveloped land with development potential, the deduction has nothing to do with the purpose for which the land is acquired. The deduction is with reference to the price of the small residential plot, to work back the value of the large tract of undeveloped land. On the other hand, where the value of acquired agricultural land is determined with reference to the sale price of a neighbouring agricultural land, no deduction need be made towards `development cost'. "

7.12 In the same judgment, the Bench, after referring to the various other judgments, held that the observations made in ***Atma Singh vs. State of Haryana (2008) 2 SCC 568*** are with reference to special facts of that particular case and they should not be read out of context. Para 32 is extracted as under:-

> *"The above observations in **Atma Singh** no doubt seem to suggest that where the acquisition is for a residential lay out, deduction towards development cost is a must, but if the acquisition is for an industry which does not require forming a layout of sites, the market value of small residential plots may be adopted without any cuts towards development cost. The said observations are made with reference to the special facts of that case. If they are read out of context to support a contention that the purpose of acquisition is a relevant factor to avoid the deduction of development cost in valuation, it may then be necessary to consider the said observations as having been made per incuriam, as they overlook a mandatory statutory provision -- section 24 (clause fifthly) of the Act and the series of decisions of larger benches of this Court which hold that when value of large tracts of undeveloped lands is sought to be determined with reference to small residential plots in developed area, it is mandatory to deduct an appropriate percentage towards development cost. But it may be unnecessary to consider whether the observations are per incuriam as para 15 of the decision makes it clear that what is stated therein, is with reference to the special facts of that case, with a view not to disturb the smaller deduction of 10% by the High Court, and not intended to be statement of law."*

7.13 Thus, it is apparent that the Hon'ble Supreme Court itself has recognized in more than one judgments that if there is no dissimilarity between the acquired land and the sale exemplar produced is of a reasonable size, then, it shall not be appropriate for the court to apply proportionate deduction to reduce the market value.

7.14 The principle underlined by all these judgments is that while assessing the market value, the court is required to apply the wisdom of a common man and arrive at a figure which a willing seller will get from a voluntary purchaser for the property. Once the market value of the acquired agricultural land is being assessed and many sales exemplars of considerably big sized plots of the agricultural land are available, the application of cut/deduction for development, in the considered opinion of the Court, is not justified unless the court is assessing the market value of a land where the sale exemplars produced before the Court are of relatively small sized plots or are being used for residential, commercial or industrial purposes. The deduction can be applied when comparable sale exemplar is of a plot of a very small size as compared to the acquired land in order to moderate the difference between wholesale and retail prices as observed by the Supreme court in judgment passed in ***LaL Chand (supra)***. The appropriate percentage of cut can also be applied if the sale exemplar is of a plot which was being used or was capable of being used for different purposes like residential, commercial or industrial. The development cut can also be applied when the comparable sale exemplar is of a plot which is located at a key position like near the road, market, developed residential colony or commercial establishments. There can be more than one reasons to apply the development cut. However, if the price is reduced while assessing the market value of the acquired land, without observing the aforesaid principles while making the deduction in the facts and circumstances of the individual cases, it shall be against the statutory intendment. In a case where the court is making an assessment with respect to an undeveloped acquired land as an undeveloped area and the sale exemplar produced for such determination is also of an undeveloped piece of land of reasonable size, then any deduction which is made on account of development work or development cost, in the considered opinion of this Court, shall not be considered appropriate. This can be explained by an example. Hypothetically, if a farmer purchases a sufficiently large chunk of land just before the notification under Section 4. On the acquisition of the land purchased, he is likely to produce the sale exemplar of the land purchased by him. If the court treats the sale exemplar as the base value and thereafter applies a cut or deduction on account of development cut or development cost per se, he shall stand deprived of the market value paid by him while purchasing the land. It would be against the spirit/intention of the Act. While assessing the market value of the undeveloped/agricultural land, the court is not required to work out the market value of the developed land or plot. In such circumstances, the application of development cut in the considered opinion of the court would not be appropriate and justified. The cut/deduction is applied by the courts in order to arrive at a correct figure representing the true market value of the acquired land on the relevant date. This method has been devised by the Courts in order to tide over the situations where exactly comparable sale exemplars of contemporaneous period are not available. The court, while making adjustments or treating the prices of the developed plots of smaller size as the base, endeavours to work out the fair market value of the acquired land.

7.15 This matter can be examined from another angle. The intention of the legislature is not to put the landowners who stand deprived of the land through double whammy. On the one hand, their immovable property is compulsorily taken away, whereas on the other hand, they are not being compensated adequately due to the deduction towards the development. This cannot be the intention of the legislature. The fundamental intention of the Legislature has always been to make the land laws fair, just and reasonable towards the sufferers of compulsory land acquisition.

7.16 Once a large chunk of agricultural land is being acquired for carving out a residential/commercial or industrial colony and the sale exemplars of plots of reasonable size of agricultural land are available, then in the considered opinion of this Court, it would not be appropriate to apply a development cut for the purpose of assessment either towards development cost or towards the area to be used for passages, roads, drains, parks etc. The landowner stands in the shoes of a loser even if some part of the acquired land is being used for providing common facilities. The landowner does not gain anything exclusively on account of reservation of land for common facilities. In fact, the landowner suffers a dual loss. On the one hand, he is deprived of the acquired land and on the other hand, he does not receive a fair and appropriate amount towards the involuntary deprivation.

7.17 There is yet another aspect of the matter. The development agency/organization/colonizer

> or the government do not sell the developed plots on the market value assessed by the court. The plots are sold while determining price on basis of the demand and supply. Usually, the plots are sold on the basis of price determined on per sq. feet or per sq. yard. basis and not on per acre. Therefore, certain percentage of land utilized for carrying out development activities like passages, roads, drains, parks etc. is to be accounted for by the developer and not the landowner. Therefore, in the considered view of this Court, the development cost incurred or to be incurred for providing common facilities is also required to be borne by the developer.
>
> 7.18 It is well settled that while assessing the market value, the court is required to adopt a pragmatic approach. The landowners who stand deprived of the property cannot be permitted to be denied of an adequate and just compensation as well. This is the responsibility of the courts to see that the landowners are adequately compensated. The learned counsel representing the parties have failed to draw the attention of the court to any precedent which lays down that while assessing the market value, the application of development cut or deduction on the base value is mandatory."

6.3 From a careful perusal of the layout plan Ex.P-12/59, the notification under Section 6 of the 1894 Act and the location of the acquired land, it is evident that the land comprised in sale deed Ex.PW4/B, PW4/C and PW4/D has been acquired by the State in this acquisition. By three different sale deeds executed on 31.01.2007, two different corporate entities have purchased the land measuring 53 kanals and 4 marlas at the rate of Rs.50,00,000/-per acre. The registered address, of both the Companies, is the same.

6.4 On a careful reading of the judgment passed in **Trishala Jain and others (supra)**, it is apparent that the Hon'ble Supreme Court, after discussing the case law on the aspect of the percentage of deduction to be applied by the Court, has itself observed in para 41 of the judgment that if the comparable sale exemplars of reasonable size with respect to the contemporaneous period have been produced, then, in that circumstance, it would not be appropriate to apply any deduction or cut, on account of the fact that some part of the land shall be utilized for carving out drains, roads, passages, parks etc. or other development work.

6.5 In view of the aforesaid discussion, now, the Bench proceeds to examine whether the sale deed produced by the landowners i.e Ex.PW4/B, PW4/C and PW4/D are comparable sale exemplars of the contemporaneous period. The Supreme Court in ***Shaji Kuriakose And Anr vs Indian Oil Corpn. Ltd. And Ors. (2001) 7 SCC 650*** has laid down five tests to arrive at a fair conclusion. The Court now endeavours to apply the five stage tests prescribed by the Supreme Court in **Shaji Kuriakose' case** (supra) to the present case. The sale exemplar PW4/B is with respect to 1 acre, 3 kanals and 17 marlas of land executed on 03.01.2007. The HSIIDC has not led any evidence to prove that the aforesaid sale transaction is not genuine. Thus, the first test is clear. The second test laid down by the Supreme Court is that the sale deed must have been executed at the time approximate to the date of issuance of notification under Section 4 of the 1894 Act. The sale deed, in the present case, is dated 03.01.2007 whereas the notification under Section 4 of the 1894 Act was issued on 15.12.2008. Thus, the sale deed is approximately 2 years prior to the date of notification under Section 4 of the 1894 Act. The third test prescribed by the Court is that the land covered by the sale must be in the vicinity of the acquired land. It has already been observed that the land covered under the sale exemplars is a part of the acquired land. The fourth test is to ensure that the land covered by the sale exemplar is similar to the acquired land. In the present case, since the land in the sale deed is itself a part of the acquired land, therefore, it is fundamentally similar. The fifth test is that the size of the plot of land covered by the sale exemplars should be comparable to the land acquired. In the present case, if we cumulatively take into consideration the land in Ex.PW4/B, PW4/C and PW4/D, a total land measuring 53 kanals and 4 marlas has been purchased at the rate of Rs.50,00,000/- per acre. The land comes to 6 ½ acres, approximately. These sale instances prove that the parcels of land purchased through the sale deeds are of a sufficient and comparable size. Apart therefrom, the location of the parcel of land sold through the sale deed Ex.PW4/E is also comparable being adjacent to the acquired land. More than 6 ½ acres of land has been purchased at the rate of Rs.50,00,000/- per acre. Keeping in view the aforesaid facts, it is safe to conclude that the market value of the acquired land in January, 2007 was somewhere around Rs.50,00,000/- per acre. As regards the other sale exemplars produced by the landowners, it is evident from the tabulated information compiled that the land covered by sale exemplars Ex.PW4/F, PW4/G, PW4/H, PW4/I, PW4/J, PW4/K, PW4/L, PW4/N, PW4/M is with respect to the land located in village Kot. Once the sale exemplars of the same village in which the land is acquired are available, it is not considered appropriate to rely upon the sale instances of a different village. Further, Ex.P12/6 to Ex.P12/58 are with respect to allotment of developed industrial plots located in a developed area. Hence, it will not be appropriate to rely upon these sale instances, particularly when the other sale instances of undeveloped parcels of land with respect to the acquired land are available. There are two more sale instances, Ex.PW4/M and PW4/O which are with respect to small plots of land, located in village Billah. Hence, it is not considered appropriate to rely upon the aforesaid sale instances.

Issue No.2

6.6 Now, let us analyze the second issue i.e whether the Court must include the assumed increase in the price of the acquired land for the time gap between the relevant dates and if the answer is in affirmative, then, what should be the appropriate percentage of hike? It may be noted here that in **Lal Chand vs. Union of India (2009) 15 SCC 769,** the Supreme Court held that the percentage of increase may vary between 3% per year to 12% per year. In the present case, it is evident that there was no increase from January, 2007 to June, 2007 i.e for a period of 6 months. The sale instances Ex.PW4/B, PW4/C, PW4/D are with respect to sale deeds executed in January, 2007 whereas sale deed Ex.PW4/E is of June, 2007. Moreover, the landowners have not produced any evidence to prove that the market value of the land had exponentially increased during the intervening period i.e from June 2007 to December, 2008. However, the court cannot overlook the fact that the HSIIDC had already acquired the land for developing industrial area in the year 1992 and therefore, this part of the land cannot be treated as land for agricultural purposes only. Keeping in view the aforesaid facts, it is considered appropriate to grant an increase at the rate of 6% for a period of 1 ½ year. Hence, the increase comes to 9%. while increasing the amount of Rs.50,00,000/- by 9%, the amount comes to Rs.54,50,000/- per acre.

6.7 It is noted here that the State has produced only one sale deed i.e Ex.R1 with respect to a plot measuring 10 marlas only. On a careful reading of the aforesaid sale deed, it is evident that the possession, of the property sold was already with the vendee and therefore, it cannot be considered to be a sale deed which was entered with free will. If the purchaser is already in possession, one cannot expect to get the true market value. Furthermore, the aforesaid parcel of land is of a very small size when compared with the acquired land.

6.8 It is noted here that the land owners have also produced certain awards passed by the LAC while acquiring different parcels of land. However, neither the learned counsel representing the parties have referred to the aforesaid awards nor those awards are found relevant, particularly when the superior evidence in the form of sale instances of the acquired land, itself, are available.

6.9 There is another award passed by the Reference Court dated 15.05.2018 assessing the same market value. In this case, the Reference Court disposed of the matter in terms of the first award dated 31.01.2017.

7.. Keeping in view the aforesaid discussion, it is held that the landowners shall be entitled to the market value of the acquired land at the rate of Rs.54,50,000/- per acre, alongwith all the statutory benefits available under the amended Land Acquisition Act, 1894, whereas, the appeals/writs filed by the HSIIDC stand dismissed.

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

24.11.2021 **(ANIL KSHETARPAL)**
rekha **JUDGE**
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

LIST OF CASES (BUNCH) DECIDED ON 24.11.2021

Sr. No.	**Case No.**	**Party Name**
1 . 0	**RFA-4676-2017 (MAIN CASE)**	**HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE DEVELOPMENT CORPORATION (HSIIDC) V/S DHANI RAM AND OTHERS**
2.	RFA-2779-2017	KALATTAR SINGH AND OTHERS. V/S STATE OF HARYANA AND OTHERS.
3.	RFA-2780-2017	SWARAN SINGH AND OTHERS. V/S STATE OF HARYANA AND OTHERS.
4.	RFA-2781-2017	AVTAR SINGH AND ANOTHER. V/S STATE OF HARYANA AND OTHERS.
5.	RFA-2782-2017	SWARAN SINGH AND OTHERS. V/S STATE OF HARYANA AND OTHERS.
6.	RFA-2783-2017	GIAN SNGH (DECEASED) THRU HIS LR V/S STATE OF HARYANA AND OTHERS.
7.	RFA-2784-2017	JARNAIL SINGH V/S STATE OF HARYANA AND OTHERS.
8.	RFA-2785-2017	JAGTAR SINGH V/S STATE OF HARYANA AND OTHERS.
9.	RFA-2786-2017	NIRMAL KUMARI V/S STATE OF HARYANA AND OTHERS.
10.	RFA-2961-2017	GURCHARAN SINGH AND ANOTHER V/S STATE OF HARYANA AND OTHERS
11.	RFA-2966-2017	MAHINDER SINGH (DECEASED) THROUGH HIS LRS & OTHERS V/S STATE OF HARYANA AND OTHERS
12.	RFA-3149-2017	MAHINDER SINGH (DECEASED) THROUGH HIS LRS V/S STATE OF HARYANA AND OTHERS.
13.	RFA-3150-2017	BALJINDER SINGH V/S STATE OF HARYANA AND OTHERS.
14.	RFA-3151-2017	DALIP KAUR V/S STATE OF HARYANA AND OTHERS.
15.	RFA-3152-2017	AVTAR SINGH AND ANOTHER. V/S STATE OF HARYANA AND OTHERS.

16.	RFA-3480-2017	GURO V/S STATE OF HARYANA AND OTHERS
17.	RFA-3481-2017	HARMAN SINGH V/S STATE OF HARYANA AND ANOTHER
18.	RFA-3482-2017	JASBIR SINGH & OTHERS V/S STATE OF HARYANA AND ANOTHER
19.	RFA-3483-2017	BHAJAN SINGH (DECEASED) THR LRS V/S STATE OF HARYANA AND ANOTHER
20.	RFA-3484-2017	RANJIT SINGH & ANOTHER V/S STATE OF HARYANA AND OTHERS
21.	RFA-3485-2017	BHAU VIRENDER SINGH V/S STATE OF HARYANA AND ANOTHER.
22.	RFA-3486-2017	JAGDEEP SINGH V/S STATE OF HARYANA AND ANOTHER.
23.	RFA-3487-2017	NANU KHAN AND ANOTHER. V/S STATE OF HARYANA AND ANOTHER.
24.	RFA-3488-2017	SMT. SHANTI RANI AND OTHERS. V/S STATE OF HARYANA AND ANOTHER.
25.	RFA-3489-2017	KRISHNA DEVI V/S STATE OF HARYANA AND ANOTHER.
26.	RFA-3490-2017	RAVI V/S STATE OF HARYANA AND ANOTHER.
27.	RFA-3491-2017	JASPAL SINGH AND OTHERS. V/S STATE OF HARYANA AND ANOTHER.
28.	RFA-3492-2017	PAHAL SINGH AND OTHERS. V/S STATE OF HARYANA AND ANOTHER.
29.	RFA-3493-2017	JITENDER SINGH V/S STATE OF HARYANA AND ANOTHER.
30.	RFA-3673-2017	KAMLA DEVI V/S STATE OF HARYANA AND ANOTHER.
31.	RFA-3675-2017	GHANSHAM & ANOTHER V/S STATE OF HARYANA & ANOTHER
32.	RFA-3676-2017	PARDEEP SINGH CHANDEL V/S STATE OF HARYANA AND ANOTHER.
33.	RFA-3678-2017	CHARAN KAUR V/S STATE OF HARYANA & ANOTHER
34.	RFA-3679-2017	RATTAN SINGH V/S STATE OF HARYANA AND ANOTHER.
35.	RFA-3680-2017	NARESH SINGH V/S STATE OF HARYANA AND ANOTHER.
36.	RFA-3681-2017	GURDEEP SINGH V/S STATE OF HARYANA & ANOTHER
37.	RFA-3682-2017	M/S CHINAR CHEMICALS AND FERTILIZER ALIPUR V/S STATE OF

		HARYANA & ANOTHER
38.	RFA-3683-2017	SHRADHA SINGH AND OTHERS. V/S STATE OF HARYANA AND ANOTHER.
39.	RFA-3684-2017	NARINDER SINGH (D) THROUGH LRS. V/S STATE OF HARYANA AND ANOTHER.
40.	RFA-3685-2017	TULINDER SINGH V/S STATE OF HARYANA & ANOTHER
41.	RFA-3686-2017	KARNAIL SINGH V/S STATE OF HARYANA & ANOTHER
42.	RFA-3857-2017	TEJ RAM V/S STATE OF HARYANA AND ANOTHER
43.	RFA-3858-2017	BALJINDER SINGH AND ANOTHER V/S STATE OF HARYANA AND OTHERS
44.	RFA-3859-2017	SATISH KUMAR V/S STATE OF HARYANA AND ANOTHER
45.	RFA-3860-2017	DHARAMPAL V/S STATE OF HARYANA AND ANOTHER
46.	RFA-4045-2017	M/S P P FOODS V/S STATE OF HARYANA ETC
47.	RFA-4526-2017	RAKSHA DEVI AND OTHERS. V/S STATE OF HARYANA AND ANOTHER.
48.	RFA-4576-2017	BANWARI LAL V/S STATE OF HARYANA & OTHERS
49.	RFA-4577-2017	RAJ PAL AND OTHERS V/S STATE OF HARYANA & OTHERS
50.	RFA-4578-2017	SALOCHNA DEVI AND ANOTHER V/S STATE OF HARYANA & ANOTHER
51.	RFA-4579-2017	SHIV NANDAN AND OTHERS V/S STATE OF HARYANA AND OTHERS
52.	RFA-4580-2017	SURINDER KUMAR AND OTHERS V/S STATE OF HARYANA AND OTHERS
53.	RFA-4581-2017	AMRIK SINGH AND OTHERS V/S STATE OF HARYANA & OTHERS
54.	RFA-4582-2017	SMT. MANPREET KAUR & ANOTHER V/S STATE OF HARYANA & OTHERS
55.	RFA-4583-2017	SHEELA DEVI AND OTHERS V/S STATE OF HARYANA AND OTHERS
56.	RFA-4584-2017	BACHITTAR SINGH OTHERS V/S STATE OF HARYANA & OTHERS
57.	RFA-4585-2017	BHUPINDER SINGH V/S STATE OF HARYANA & OTHERS
58.	RFA-4624-2017	RAMESHWAR DASS AND OTHERS. V/S STATE OF HARYANA AND ANOTHER.

59.	RFA-4670-2017	HSIIDC V/S BALJINDER SINGH AND OTHERS
60.	RFA-4672-2017	HSIIDC V/S MANINDER KUMAR AND OTHERS
61.	RFA-4673-2017	HSIIDC V/S SATISH KUMAR & OTHERS
62.	RFA-4674-2017	HSIIDC V/S SALAMDEEN & OTHERS
63.	RFA-4683-2017	HSIIDC V/S KRISHNA DEVI AND OTHERS
64.	RFA-4684-2017	HSIIDC V/S BHUPINDER SINGH AND OTHERS
65.	RFA-4685-2017	HSIIDC V/S PRITAM SINGH AND OTHERS
66.	RFA-4688-2017	HSIIDC V/S NANU KHAN AND OTHERS
67.	RFA-4689-2017	HSIIDC V/S SUCHA SINGH AND OTHERS
68.	RFA-4690-2017	HSIIDC V/S BALJIT SINGH AND OTHERS
69.	RFA-4691-2017	HSIIDC V/S HARNAM SINGH AND OTHERS
70.	RFA-4692-2017	HSIIDC V/S AMRIK SINGH AND OTHERS
71.	RFA-4693-2017	HSIIDC V/S NARESH SINGH AND OTHERS
72.	RFA-4694-2017	HSIIDC V/S RAVI KHANNA AND OTHERS
73.	RFA-4695-2017	HSIIDC V/S POPA CHANDEL AND OTHERS
74.	RFA-4697-2017	HSIIDC V/S SALOCHNA DEVI AND OTHERS
75.	RFA-4698-2017	HSIIDC V/S GURDEEP SINGH AND OTHERS
76.	RFA-4699-2017	HSIIDC V/S GURDEEP SINGH AND OTHERS
77.	RFA-4702-2017	HSIIDC V/S SHASHI BALA AND OTHERS
78.	XOBJR-80-CI-2018	HSIIDC V/S SHASHI BALA AND OTHERS
79.	RFA-4713-2017	HSIIDC V/S RANJIT SINGH AND OTHERS
80.	RFA-4714-2017	HSIIDC V/S MAHINDER SINGH (DECEASED) THROUGH HIS LRS AND OTHERS
81.	RFA-4715-2017	HSIIDC V/S GURO AND OTHERS
82.	RFA-4716-2017	HSIIDC V/S BALJINDER SINGH & OTHERS
83.	RFA-4717-2017	HSIIDC V/S SURJIT KAUR AND OTHERS
84.	RFA-4718-2017	HSIIDC V/S DALIP KAUR AND OTHERS
85.	RFA-4719-2017	HSIIDC V/S AVTAR SINGH AND OTHERS
86.	RFA-4720-2017	HSIIDC V/S NIRMAL KUMARI AND OTHERS
87.	RFA-4721-2017	HSIIDC V/S PAHAL SINGH AND OTHERS
88.	RFA-4722-2017	HSIIDC V/S SWARAN SINGH AND OTHERS
89.	RFA-4723-2017	HSIIDC V/S JAGTAR SINGH & OTHERS
90.	RFA-4724-2017	HSIIDC V/S SHUGAN CHAND & OTHERS
91.	RFA-4725-2017	HSIIDC V/S JARNAIL SINGH AND OTHERS
92.	RFA-4728-2017	HSIIDC V/S GURCHARAN SINGH AND OTHERS
93.	RFA-4729-2017	HSIIDC V/S AVTAR SINGH AND OTHERS
94.	RFA-4732-2017	HSIIDC V/S JARNAIL SINGH AND OTHERS

95.	RFA-4733-2017	HSIIDC V/S BACHITTAR SINGH AND OTHERS
96.	RFA-4734-2017	HSIIDC V/S BHAU VARINDER SINGH AND OTHERS
97.	RFA-4735-2017	HSIIDC V/S BHAU VARINDER SINGH AND OTHERS
98.	RFA-4736-2017	HSIIDC V/S DHEERAJ GARG AND OTHERS
99.	RFA-4737-2017	HSIIDC V/S KHALIL KHAN AND OTHERS
100.	RFA-4738-2017	HSIIDC V/S M/S P.P. FOODS PVT. LTD. AND OTHERS
101.	RFA-4739-2017	HSIIDC V/S KULDEEP SINGH AND OTHERS
102.	RFA-4741-2017	HSIIDC V/S TEJ PAL AND OTHERS
103.	RFA-4742-2017	HSIIDC V/S IMRAN AND OTHERS
104.	RFA-4743-2017	HSIIDC V/S HARDEV SINGH AND OTHERS
105.	RFA-4744-2017	HSIIDC V/S BANWARI LAL AND OTHERS
106.	RFA-4745-2017	HSIIDC V/S GURNAM SINGH AND OTHERS
107.	RFA-4746-2017	HSIIDC V/S ANURAG GUPTA AND OTHERS
108.	RFA-4747-2017	HSIIDC V/S PARDEEP SINGH AND OTHERS
109.	RFA-4748-2017	HSIIDC V/S SWARAN SINGH AND OTHERS
110.	RFA-4749-2017	HSIIDC V/S SANT RAM AND OTHERS
111.	RFA-4752-2017	HSIIDC V/S RAKSHA DEVI AND OTHERS
112.	RFA-4753-2017	HSIIDC V/S KARNAIL SINGH AND OTHERS
113.	RFA-4754-2017	HSIIDC V/S RAMESH KUMAR AND OTHERS
114.	RFA-4755-2017	HSIIDC V/S JAGDEEP SINGH AND OTHERS
115.	RFA-4756-2017	HSIIDC V/S SMT. REETA RANI AND OTHERS
116.	XOBJR-3-2021	HSIIDC V/S REETA RANI AND OTHERS
117.	RFA-4757-2017	HSIIDC V/S TEJ RAM AND OTHERS
118.	RFA-4758-2017	HSIIDC V/S JASBIR SINGH AND OTHERS
119.	RFA-4771-2017	HSIIDC V/S KRISHAN AGGARWAL AND OTHERS
120.	RFA-4772-2017	HSIIDC V/S KAMLA DEVI AND OTHERS
121.	RFA-4773-2017	HSIIDC V/S SURESH KUMAR AND OTHERS
122.	RFA-4774-2017	HSIIDC V/S GIAN SINGH DECEASED THR LR AND OTHERS
123.	RFA-4775-2017	HSIIDC V/S SURINDER KUMAR AND OTHERS
124.	RFA-4776-2017	HSIIDC V/S DHARMPAL AND OTHERS
125.	RFA-4777-2017	HSIIDC V/S JASPAL SINGH AND OTHERS
126.	RFA-4778-2017	HSIIDC V/S RATTAN SINGH AND OTHERS
127.	RFA-4779-2017	HSIIDC V/S RAVI AND OTHERS
128.	RFA-4780-2017	HSIIDC V/S TULINDER SINGH AND OTHERS

129.	RFA-4781-2017	HSIIDC V/S JATINDER SINGH AND OTHERS
130.	RFA-4825-2017	HSIIDC V/S RAJ PAL AND OTHERS
131.	RFA-4826-2017	HSIIDC V/S SMT. SHEELA DEVI AND OTHERS
132.	RFA-4828-2017	HSIIDC V/S KULWANT KAUR AND OTHERS
133.	RFA-4830-2017	HSIIDC V/S BABU RAM AND OTHERS
134.	RFA-4831-2017	HSIIDC V/S KALATTAR SINGH AND OTHERS
135.	RFA-4832-2017	HSIIDC V/S SHIV NANDAN AND OTHERS
136.	RFA-4833-2017	HSIIDC V/S GARJA SINGH AND OTHERS
137.	RFA-4834-2017	HSIIDC V/S SMT. SHANTI RANI AND OTHERS
138.	RFA-4835-2017	HSIIDC V/S GHANSHAM & OTHERS
139.	RFA-4836-2017	HSIIDC V/S ALI HASAN AND OTHERS
140.	XOBJR-31-2020	HARYANA STATE INFRASTRUCTURE AND INDUSTRIAL DEVELOPMENT CORPORATION LTD V/S ALI HASAN AND OTHERS
141.	RFA-4837-2017	HSIIDC V/S MAHINDER SINGH (DECEASED) THROUGH HIS LRS & OTHERS
142.	RFA-4838-2017	HSIIDC V/S SMT. RAJ DULARI AND OTHERS
143.	RFA-4841-2017	HSIIDC V/S NIRMALA DEVI AND OTHERS
144.	RFA-4842-2017	HSIIDC V/S SURAT RAM AND OTHERS
145.	RFA-4853-2017	HSIIDC V/S SHIV RAM AND OTHERS
146.	RFA-4854-2017	HSIIDC V/S RAMESHWAR DASS AND OTHERS
147.	RFA-4898-2017	HSIIDC V/S CHARAN KAUR AND OTHERS
148.	RFA-4912-2017	HSIIDC V/S NAZIR KHAN (DECEASED) THRU LRS AND OTHERS
149.	RFA-5509-2017	SOHAN SINGH AND OTHERS V/S STATE OF HARYANA AND OTHERS
150.	RFA-87-2018	GARJA SINGH (SINCE DECEASED) THRU HIS LRS AND OTHERS. V/S STATE OF HARYANA AND OTHERS.
151.	RFA-1427-2018	SURJIT KAUR AND OTHERS. V/S STATE OF HARYANA AND OTHERS.
152.	RFA-3049-2018	KUNAL ATTRI AND ANOTHER V/S STATE OF HARYANA AND OTHERS
153.	RFA-4031-2017	PITAMBER PARSHOTAM THR LR V/S STATE OF HARYANA & OTHERS
154.	RFA-4596-2018	KRISHAN AGGARWAL V/S STATE OF HARYANA AND ANOTHER
155.	RFA-4604-2018	RAVI SHARMA V/S STATE OF HARYANA AND ANOTHER

156.	RFA-5140-2018	DHANI RAM AND ANOTHER V/S STATE OF HARYANA AND ANOTHER
157.	RFA-5141-2018	SHIV RAM AND ANOTHER V/S STATE OF HARYANA AND ANOTHER
158.	RFA-4829-2017	HSIIDC V/S SMT. DEVKI DEVI AND OTHERS
159.	RFA-4751-2017	HSIIDC V/S ISHWAR DAYAL AND OTHERS
160.	RFA-4827-2017	HSIIDC V/S SANJEEV KUMAR AND OTHERS
161.	RFA-4671-2017	HSIIDC V/S HARE RAM AND OTHERS
162.	RFA-4700-2017	HSIIDC V/S BALDEV SINGH AND OTHERS
163.	RFA-4855-2017	HSIIDC V/S PITAMBER PURSHOTAM (DECEASED) THR LR AND OTHERS
164.	RFA-4675-2017	HSIIDC V/S SAWRAJ SINGH & OTHERS
165.	RFA-4687-2017	HSIIDC V/S RAJESH KUMAR AND OTHERS
166.	RFA-4686-2017	HSIIDC V/S OM PARKASH AND OTHERS
167.	RFA-4696-2017	HSIIDC V/S NARINDER SINGH AND OTHERS
168.	RFA-4750-2017	HSIIDC V/S SHRADHA SINGH AND OTHERS
169.	RFA-4701-2017	HSIIDC V/S BHAJAN SINGH AND OTHERS
170.	RFA-4824-2017	HSIIDC V/S SOHAN SINGH AND OTHERS
171.	RFA-4840-2017	HSIIDC V/S SURINDER SINGH & OTHERS
172.	RFA-4844-2017	HSIIDC V/S SMT. BIMLA DEVI AND OTHERS
173.	RFA-4856-2017	HSIIDC V/S DAYA RANI & OTHERS
174.	XOBJR-32-2020	HARYANA STATE INFRASTRUCTURE AND INDUSTRIAL DEVELOPMENT CORPORATION LTD V/S DAYA RANI AND OTHERS
175.	RFA-4852-2017	HSIIDC V/S SUNITA SINGLA & OTHERS
176.	RFA-4897-2017	HSIIDC V/S USHA JAIN & OTHERS
177.	RFA-4896-2017	HSIIDC V/S M/S CHINAR CHEMICALS & FERTILIZER INDUSTRY ALIPUR OTHERS
178.	RFA-4611-2018	SMT. RAJ DULARI DECEASED THR HER LRS AND OTHERS V/S STATE OF HARYANA & OTHERS
179.	RFA-231-2018	GURNAM SINGH V/S STATE OF HARYANA & OTHERS
180.	RFA-228-2018	SANJEEV KUMAR & ANOTHER V/S STATE OF HARYANA & OTHERS
181.	RFA-232-2018	POPA CHANDEL V/S STATE OF HARYANA & OTHERS
182.	RFA-225-2018	SHUGAN CHAND V/S STATE OF HARYANA & OTHERS
183.	RFA-229-2018	JARNAIL SINGH & OTHERS V/S STATE OF HARYANA & OTHERS
184.	RFA-230-2018	ANURAG GUPTA V/S STATE OF HARYANA & OTHERS

185.	RFA-226-2018	SUNITA SINGLA V/S STATE OF HARYANA & OTHERS
186.	RFA-227-2018	USHA JAIN & OTHERS V/S STATE OF HARYANA AND OTHERS
187.	RFA-141-2018	RANDHIR SINGH AND OTHERS V/S STATE OF HARYANA & OTHERS
188.	RFA-3674-2017	SMT. DEVKI DEVI (DECEASED) THROUGH LRS. V/S STATE OF HARYANA AND OTHERS
189.	RFA-3677-2017	SALAMDEEN (DECEASED) THROUGH HIS LRS V/S STATE OF HARYANA AND ANOTHER.
190.	RFA-4628-2017	IMRAN & OTHERS V/S STATE OF HARYANA AND ANOTHER
191.	RFA-89-2018	HARDEV SINGH & OTHERS V/S STATE OF HARYANA & ANOTHER
192.	RFA-4620-2017	KHALIL KHAN AND ANOTHER. V/S STATE OF HARYANA AND ANOTHER.
193.	RFA-4622-2017	BHAU VIRENDER SINGH AND OTHERS. V/S STATE OF HARYANA AND ANOTHER.
194.	RFA-4627-2017	NAZIR KHAN (D) THROUGH LRS & OTHERS V/S STATE OF HARYANA & ANOTHER
195.	RFA-4626-2017	GURDEEP SINGH & ANOTHER V/S STATE OF HARYANA & ANOTHER
196.	RFA-1278-2018	HARBANS KAUR @ HARVINDER KAUR AND ANOTHER V/S STATE OF HARYANA AND OTHERS.
197.	RFA-4621-2017	DHEERAJ GARG & OTHERS V/S STATE OF HARYANA & ANOTHER
198.	RFA-4617-2017	SANT RAM & OTHERS V/S STATE OF HARYANA & ANOTHER
199.	RFA-4625-2017	BALJEET SINGH AND ANOTHER. V/S STATE OF HARYANA AND OTHERS.
200.	RFA-4618-2017	PRITAM SINGH AND OTHERS. V/S STATE OF HARYANA AND ANOTHER.
201.	RFA-4619-2017	KULDEEP SINGH AND ANOTHER. V/S STATE OF HARYANA AND ANOTHER.
202.	RFA-4623-2017	RAMESH KUMAR AND OTHERS. V/S STATE OF HARYANA AND ANOTHER.
203.	RFA-5454-2017	SURAT RAM AND OTHERS. V/S STATE OF HARYANA AND ANOTHER.
204.	RFA-4601-2018	RAMESH KUMAR SAINI V/S STATE OF HARYANA AND OTHERS

205.	RFA-4031-2018	SMT. BIMLA DEVI AND OTHERS. V/S STATE OF HARYANA AND ANOTHER.
206.	RFA-4843-2017	HSIIDC V/S HARPREET PAL KAUR AND OTHERS
207.	RFA-5119-2018	DHANPAT PROPERTIES PVT LTD V/S STATE OF HARYANA AND ANOTHER
208.	RFA-5125-2018	SONALI BUILDCON PVT LTD V/S STATE OF HARYANA AND ANOTHER
209.	RFA-5206-2018	RAVI SHARMA V/S STATE OF HARYANA AND ANOTHER
210.	RFA-2250-2019	HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE DEVELOPMENT CORPORATION LIMITED V/S DHANPAT PROPERTIES PVT LTD AND OTHERS
211.	RFA-2251-2019	HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE DEVELOPMENT CORPORATION LIMITED V/S SONALI BUILDCON PVT LTD AND OTHERS
212.	RFA-2454-2019	HARYANA STATE INDUSTRIAL DEVELOPMENT CORPORATION V/S SMT. GAINDI DEVI THROUGH LRS AND OTHERS
213.	RFA-2455-2019	HARYANA STATE INDUSTRIAL DEVELOPMENT CORPORATION V/S RAMESH KUMAR SAINI AND OTHERS
214.	RFA-5198-2017	SURINDER SINGH AND OTHERS V/S STATE OF HARYANA THROUGH ITS COLLECTOR AND OTHERS
215.	RFA-5290-2017	BALDEV SINGH (D) THR LRS V/S STATE OF HARYANA & ANOTHER
216.	RFA-362-2019	BIMLA DEVI V/S STATE OF HARYANA AND ANOTHER
217.	RFA-370-2019	HSIIDC V/S LILU RAM AND OTHERS
218.	RFA-371-2019	HSIIDC V/S AMRIK SINGH AND OTHERS
219.	RFA-895-2019	BANWARI LAL V/S STATE OF HARYANA AND OTHERS
220.	RFA-1998-2018	BALWINDER SINGH V/S STATE OF HARYANA AND OTHERS
221.	RFA-8-2020	KHALIL DECEASED REPRESENTED THROUGH HIS LEGAL HEIRS AND OTHERS V/S HARYANA WAKF BOARD AND ANOTHER
222.	RFA-3880-2019	HARYANA WAKF BOARD, AMBALA V/S KHALIL NOW DECEASED THROUGH LRS AND OTHERS
223.	RFA-40-2020	JOTI RAM AND OTHERS V/S STATE OF HARYANA AND OTHERS
224.	RFA-5046-2018	LATE SMT GAINDI DEVI THR HER LR V/S STATE OF HARYANA AND OTHERS

225.	CWP-1805-2021	HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE DEVELOPMENT CORPORATION LIMITED V/S HEMANT GARG AND ANOTHER
226.	CWP-1806-2021	HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE DEVELOPMENT CORPORATION LTD. V/S GURNEK SINGH (DECEASED) THROUGH HIS LR AND OTHERS
227.	CWP-1750-2021	HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE DEVELOPMENT CORPORATION LTD V/S GIAN SINGH AND OTHERS
228.	CWP-17005-2021	DEEPAK SHARMA V/S STATE OF HARYANA AND OTHERS
229.	CWP-1268-2021	HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE DEVELOPMENT CORPORATION LTD. V/S HARYANA WAKF BOARD AND ANOTHER
230.	CWP-19302-2019	HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE DEVELOPMENT CORPORATION (HSIIDC) V/S DEEPAK SHARMA AND OTHERS
231.	RFA-13569-2018	HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE DEVELOPMENT CORPORATION (HSIIDC) V/S NATHI RAM AND OTHERS
232.	RFA-13570-2018	HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE DEVELOPMENT CORPORATION (HSIIDC) V/S SMT. BIMLA DEVI AND OTHERS
233.	RFA-28-2020	BACHITAR SINGH AND ANOTHER V/S THE STATE OF HARYANA AND OTHERS
234.	RFA-900-2020	HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE DEVELOPMENT CORPORATION (HSIIDC) V/S KARNAIL SINGH AND OTHERS

24.11.2021 **(ANIL KSHETARPAL)**
rekha **JUDGE**