IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA-3500-2015 (O&M)
Date of decision: 17.10.2022
Reserved on: 30.09.2022

Sham Bihari (since deceased) through his LRs
....Appellant

Versus

State of Haryana and others
..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Birender Singh Rana, Sr. Advocate with
Mr. Nayandeep Rana, Advocate
Mr. Sumeet Goel , Senior Advocate,
with Mr. A. N. Vaid, Advocate,
Mr. Sanjiv Gupta, Advocate,
Mrs. Neeraj, Advocate,
with Mr. Abhinav, Advocate, &
Mr. Madan Pal, Advocate,
Mr. Nonish Kumar, Advocate,
Mr. J.P. Sharma, Advocate,
Mr. Nayandeep Rana, Advocate,
Ms. Vaishali Kamboj, Advocate,
Mr. M. K. Taya, Advocate,
Mr. Rahul Deswal, Advocate,
Mr. Ashok Kumar Khubber, Advocate,
Mr. Pankaj Bali, Advocate,
Ms. Monika Gupta, Advocate,
Mr. Rajinder Goel, Advocate,
Mr. J. K. Goel, Advocate,
Mr. Himanshu Sharma, Advocate,
Mr. Rajesh Bansal, Advocate,
Mr. Vikram Singh, Advocate,
Mr. Varinder Singh, Advocate,
Mr. Akshay Jindal, Advocate, for appellant (s) -landowners

Mr. Ajay Chauhan, Advocate, for
Mr. Diwan S. Adlakha, Advocate,
Mr. J. S. Virk, Advocate,
Mr. Manoj Kumar Taya,
Ms. Monika Gupta, Advocate,

Mr. Dhruv Kaushik, Advocate, for
Mr. Arun Sharma, Advocate,
Mr. Nonish Kumar, Advocate,
for the respondents .

Mr. Pritam Singh Saini, Advocate,
Mr. Lokesh Sinhal, Advocate,
Mr. Deepak Balyan, Advocate, for HSIIDC

ANIL KSHETARPAL, J

1. Introduction and Background:-

1.1 A batch of Regular First Appeals with a prayer to modify the award dated 07.03.2015, passed by the Reference Court (hereinafter referred to as 'RC') has come up for the final disposal. Notification under Section 4 and 6 of the 1894 Act and the awards passed by the Land Acquisition Collector (hereinafter referred to as 'LAC') and the RC are common. Learned counsel representing the parties are ad idem that these appeals can conveniently be disposed of by a common judgment. In fact, on reading of the judgment passed by the RC, it is evident that all the reference petitions, arising from the common preliminary notification under Section 4 of the 1894 Act dated 17.06.2012, were consolidated and **Prem Chand and others vs. State of Haryana and others'** was treated as lead case. The HSIIDC and the landowners have filed appeals.

1.2 The relevant particulars of the acquisition are as under:-

Sr. No.	Date	Particulars
1.	17.05.2002	Preliminary notification under Section 4 of the 1894 Act proposing to acquire 54 acres, 0 Bigha 7 Biswas for the development and expansion of Industrial Estate Karnal, was issued.
2.	13.05.2003	Declaration under Section 6 of the 1894 Act was published.

3.	10.05.2005	The LAC vide award No.3 acquired 231 bighas and 790 biswas while offering to pay at the rate of Rs.6,00,000/- per acre with respect to a strip of land upto the depth of 1 acre abutting Bajida Road, whereas the landowners of the land beyond the depth of 1 acre from Bajida Road were offered Rs.5,00,000/- per acre apart from all the statutory benefits.
4.	31.07.2010	In the first round the RC assessed the market value of the acquired land at the rate of Rs.435/- per square yard.
5.	25.09.2014	In Smt. Kanta Devi and others vs. State of Haryana, RFA-640-2011, the High Court after setting aside the RC's award dated 31.07.2010, remitted the matter for deciding afresh while permitting the parties to lead further evidence. The High Court found that the RC committed error in assessing the market value of the acquired land by escalating for a period of 11 years the price on the basis of previous assessment made by the Court.
6.	27.03.2015	In the second round, the RC has assessed the market value at the rate of Rs.533/- per square yard (Rs.25,79,720/- per acre of 4840 square yard).

2. <u>Oral and Documentary Evidence:-</u>

2.1 In the oral evidence, the landowners in the 1st round examined the following witnesses:-

PW1	Des Raj, Head Registration Clerk
PW2	Sushila Devi
PW3	Mukut Bihari
PW4	Shyam Bihari
PW5	Krishan Kumar, Assistant Manager, HSIIDC
PW6	Ram Kumar Kamboj
PW7	Varinder Singh Pehal,
PW8	Hari Dass
PW9	Rajinder Kumar, Assistant in the office of Haryana Urban Development Authority
PW10	Ashok Gulati, AR Market Committee, Karnal
PW11	PW11 Hans Raj Building Inspector, MC, Karnal

2.2 The following documents were produced by the landowners:-

Ex.P1	Copy of collector rates for District Karnal for the year 2001-02
Ex.P2	: Copy of collector rates for District Karnal for the year 2002-03
Ex.P3	: Copy of collector rates for District Karnal for the year 2003-04
Ex.P4	: Copy of collector rates for District Karnal for the year 2008-09
Ex.PW2/A, ExPW3/A, Ex.PW4/A and Ex.PW6/A, Ex.PW7/A	: Affidavits of Sushila Devi, Mukut Bihari Sham Bihari, Ram Kumar Kamboj and Varinder Singh Pehal.
Ex.P5 & P6	: Site Plans,
Ex. P23	Copy of jamabandi for the year 1999-2000,
Ex.P7 to Ex.42	: Certified copies of sale deeds,
Ex.P43	: Copy of judgment dated 20.9.2008 in LA case no. 37/99 titled as Kalyan Singh etc. Vs.The Collector, LAC etc.
Ex.P44	: Copy of judgment dt. 21.5.05 in LA case N.7 of 2001 titled jai Pal Sharma and others Vs. State through Collector, Karnal.
Ex.P45	: Copy of order dt. 17.12.2004 in LPA no.687 of 2000 titled Satpal Singh anr. Vs. State through Collector, Karnal.
Ex.P46	:Copy of judgment dt. 3.8.2005 in LPA case no.303/2000 titled as Smt. Mahabiri Devi etc. Vs. State through Collector, Karnal.
Ex.P47	: Copy of judgment dt. 3.8.05 in LPA no. 2356 of 2000 titled as Sukhbir and others Vs. State of Haryana etc.
Ex.P48	: Copy of revised layout plan of Industrial Estate Sector 3 & 3-A.
Ex.P49	: Copy of lay out plan of Industrial Estate, Sector 3.
Ex.P50	: Copy of judgment/Award dt. 11.5.2009 in LA case No.46 of 2006 titled Ram Kumar Vs. State of Haryana and others.
Ex.P50	: Photo copy of sale deed dt. 28.10.99.
Ex.P51	: Copy of order dt. 10.9.04 of Collector, Karnal,
Ex.P52	: Cop[y of judgment dt. 9.11.2009 of Hon`ble High Court in LPA no. 17 of 2009 titled Rajpal and others Vs. State of Haryana and others,
Ex.P53	: Copy of judgment dt. 5.10.07 of Hon`ble High Court in RFA no. 1456 of 1992 titled Balwan Singh Vs. The State of Haryana through the Collector, Karnal

2.3 The landowners in the second round also examined the following:-

PW6	Ram Kumar Kamboj, Draftsman
PW7	Varinder Singh Pehal
PW12	Rakesh Kumar, Assistant Manager, HSIIDC, Karnal

2.4 They also produced the following documents:-

Ex.P54	: Copy of judgment dt. 20.9.13 in SLP no. 2478/06,
Ex.P55	: Copy of judgment dt. 31.7.14,
Ex.P56	: Copy of news letter of HSIDC dt.102.1987,
Ex.P57	: Copy of judgment dt.26.2010
Ex.P58,P59	: Copies of sale deeds.
Ex.P60	: Copy of judgment dt.3.5.94
Ex.P61	: Copy of notification dt. 13.3.1981,
Ex.P62	: Copy of notification dt. 21.11.1983,
Ex.P63	: Copy of order of Hon`ble High Court dt.23.1.1992
Ex.P64	: Copy of notification dt.17.5.2002,
Ex.P65	: Copy of notification dt.13.5.2003,and
Mark-X	: photo copy of judgment dt. 7.6.2005.

2.5 HSIIDC on the other hand in the oral evidence, examined the following witnesses:-

RW1	Rajbir Singh, Manager
RW2	Ram Kishan, District Revenue Accountant, DC Office, Karnal
RW3	Jai Singh, Patwari
RW4	Bharat Singh, Patwari
RW5	Harish Kaushik, Junior Engineer, PWD, B&R, Karnal
RW6	Kuldip Singh, Clerk

2.6 The HSIIDC also produced the following documents:-

Ex.D1 to Ex.D5	:Sale deeds,
Ex.R6	: Copy of letter dt. 22.4.02 of LAC, Karnal
Ex.R7	: Copy of letter dt. 26.4.2002 of DC, Karnal, to Tehsildar, Karnal.
Ex.R8	: Copy of order dt. 1.8.02 of Tehsildar, Karnal.
Ex.R9	: Copy of Chant Report,
Ex.R10	: Copy of letter dated 2.9.02 of Tehsildar, Karnal,
Ex.R11	: Copy of letter dated 20.9.92 from SDO **C,** DC, Karnal,
Ex.R12	: Copy of letter dt. 20.4.05 from Executive Engineer PWD B&R, Karnal to LAC-cum-DRO, Karnal

Ex.R13 to Ex.R49A,	: Photo copies of estimate along with site plans,
Ex.R51	: Report of Deputy Conservator of Forest, Karnal to LAC, dt. 1.3.05,
Ex.R52	: letter dt. 7.4.05 of Assistant Agricultural Engineer, Uchani (Karnal) to LAC.
Mark-E	: Report of Divisional Rates Fixation Committee, Rotak.

3. <u>Issues that arise for adjudication:-</u>

In the considered view of the Court, the following issues arise for the consideration/adjudication:-

a) If the additional evidence sought to be produced by the party helps the Court in deciding the case in an appropriate manner, whether the Court is debarred from permitting the production of additional evidence?

b) Whether it is necessary to examine the vendors or vendees, before the certified copies of the sale deeds are held to be proved under the 1894 Act?

c) Whether is it appropriate to assess the market value of the acquired land by granting a cumulative annual increase of 15% for a period of 7 ½ years particularly when the comparable sale instances of contemporaneous period of the acquired land itself have been produced by the parties?

d) Whether it is appropriate to rely upon the auction price fetched with respect to the showroom-cum-offices and shops in a developed area, to assess the market value of undeveloped agricultural land?

4. <u>Discussion and Analysis of the award by this Court:-</u>

4.1 Since the judgment passed by the RC in the first round was set aside and the matter was remitted back to the RC for deciding afresh, therefore, the evidence has been led on two different occasions.

4.2 In the first round, the RC culled out the following issues:-

> "1) Whether the Petitioners are entitled to the enhancement of Compensation amount awarded by LAC as prayed for? OPP
> 2) Whether the Petitions are not maintainable? OPR
> 3) Relief."

4.3 After remand, an additional issue was culled out by the RC, which is extracted as under:-

> "1-A Whether the Petitioners are entitled to damages in view of the section 48-A of LA Act, as the land in question was earlier notified for acquisition on 13.3.1981, but later on de notified on 23.1.1992?OPP"

4.4 On the analysis of the impugned award passed by the RC, in substance, the following findings can be culled out:-

1) One side of the acquired land is adjacent to the well developed residential Sector 16 whereas on the other side, the New Grain Market has been developed by the Haryana State Agricultural Marketing Board. Vide another notification dated 03.03.1981, the HSIIDC initiated proposal to acquire land for developing the Industrial Sector 3, Karnal. There are industries as well as the residential areas in the close proximity of the acquired land.

2) After discussing the various sale deeds produced by the parties, the RC held that the sale deed Ex.P58 with respect to the land measuring 22.22 sq yard plot on Bajida Road sold at the rate of Rs.540/-

per square yard is the appropriate sale exemplar for assessing the market value of the acquired land. Thereafter, the court calculated the cumulative periodical increase at the rate of 12% per annum after excluding the year of notification under Section 4 of the 1894 Act. Thereafter, the RC applied a deduction of 50% on account of smallness of the area sold and arrived at a figure of Rs.533/- per square yard. The RC refused to assess the market value by dividing the acquired land in different belts as ordered by the LAC while holding that there is no difference in the market value of the entire acquired land, as the entire acquired land for assessment of the market value is identically situated. Further, the RC refused to take into consideration the sale deeds Ex.D1 to D5 produced by the HSIIDC on the ground that the sale consideration was less than the market value assessed by the LAC, therefore, these sale instances cannot be taken into consideration. It has also been held that most of the sale instances pertain to the area outside the Municipal Limits of Karnal.

3) The RC also discussed its various awards/ judgments while assessing the market value of the land acquired through different notifications in the city of Karnal. The aforesaid assessments ordered by the Court from time to time while deciding the cases arising from different acquisitions by different notifications have been compiled by the RC in the following manner:-

Ex.	Purpose for which The land was acquired.	Date of Notification u/s 4 of L.A. Act	Compensation awarded/enhanced.	Tentative Market value as per periodical increase formula by giving cumulative increase of 12%

P-45	For section 4&5	10.4.1989	147.68	706.46
P-52	Sector 16	22.2.1984	82/-	688.20
P-43	New Anaj Mandi	9.3.1993	180/-	499.15
P-46, P47	Development of anaj Mandi			
P-53	Sector 3	13.3.1981	44.66	475
P-57	Sector 12-1	28.2.2003	247.93	

4) Thereafter, it was held that the sale instances of the price fetched in auction of the developed sites of shop-cum-office, shops would not be an appropriate guide for assessing the market value of the acquired land.

5) The RC refused to rely upon the Collector's rate issued for the guidance of the Registration Authority to collect the stamp duty at the time of registration of documents, on the ground that these guidelines are not meant for the transfer of agricultural land.

4.5 The RC has erred in refusing to take into consideration the sale deeds Ex.D1 to D5 on the ground that the sale considerations reflected therein are less than the market value assessed by the LAC. Section 25 of the 1894 Act does not prohibit/debar the court from taking into consideration the sale deeds produced by the parties which reflect a price lesser than the amount offered by the LAC. This issue is no longer res integra in view of the judgment passed by the Supreme Court in **Lal Chand vs. UOI and others (2009) 15 SCC 769.**

4.6 The RC has held that the assessments made in the various previous judgments/awards passed by the RC, High Court or the Supreme Court while assessing the market value of different parcels of the acquired land through the different notification, are not a safe guide for assessing the market value of the said acquired land. Though the learned counsel representing the landowners have heavily relied upon the same, however, this Court is in consonance with this reasoning of the RC. It may be noted here that in the first round, this Court while remanding the case back to the RC, had already discussed the other assessments, of the market value of the acquired land, made by the courts and held that it is not appropriate to rely upon the same particularly when in the aforesaid cases, the acquisition is either prior to or subsequent to the acquisition in question. In fact, on a careful perusal of the tabulated information complied by the RC, which has been extracted above, it is evident that in most of the cases, the market value of the acquired land was being assessed for the years between 1981 to 1993 whereas in one case it was being assessed as on 28.02.2003. Whereas in the present case, the market value of the acquired land is required to be assessed as on 17.05.2002. Detailed discussion on this subject to follow while examining the arguments of the learned senior counsel representing the landowners.

4.7 This Court also approves the reasoning of the RC that the reliance placed by the landowners on the auction price fetched in respect of the showroom cum offices as well as shops in the developed area, cannot be relied upon to assess the market value of the acquired land. The RC has positively found that at the time of issuance of preliminary notification, the acquired land was being used for agricultural purposes and the learned counsel representing the parties have failed to draw the attention of the Court to the evidence which would prove that the conclusion arrived at by the RC is erroneous.

4.8 Now, this Court addresses the last reason. The sale exemplar Ex.P58 has been relied upon by the RC. This sale deed is with respect to the sale deed executed on 06.01.1995 i.e approximately 7 ½ years prior to the date of notification under Section 4 of the 1894 Act. This parcel of land is with respect to a plot of shop located on Bajida Road. In fact, it is a tiny plot of land when compared with the area of an acre of land. Ordinarily, an acre of land consists of 4840 square yards land. In terms of the percentage of an acre, the plot sold vide Ex.P58 comes to 0.4590 percent of an acre. If we compare the area covered in Ex.P58 with the acquired land, it will come to less than 0.01 percent of the acquired land. Obviously, the reliance placed on Ex.P58 is erroneous because the aforesaid sale deed is neither with respect to a comparable parcel of land nor it relates to the contemporaneous period.

5. Discussion and analysis of the arguments addressed by the learned counsel representing the parties:-

5.1 Heard the learned counsel representing the parties at length and with their able assistance perused the paperbook as well as the record of the RC, which was requisitioned in the lead case i.e Prem Chand and others.

5.2 On the one hand, the learned senior counsel, while filing the written arguments, has submitted that the application for additional evidence filed by the HSIIDC is liable to be dismissed as despite sufficient opportunity having been granted, these sale deeds were not produced before the RC. It is submitted that the vendor and vendees are required to be examined to prove the sale deeds. While contending, HSIIDC cannot be permitted to be fill in the lacuna or to patch up the weak points, he submits that this Court has erred in allowing the application for additional evidence. In the written arguments, the learned counsel has contended that a copy of the application for permission to lead additional evidence was never supplied to him, however, on 30.09.2022, when the case was relisted for hearing, the learned senior counsel admitted that he has already received a copy of the said application alongwith the copies of the sale deeds and of layout plan of the area. It has also been contended that the sale deeds produced in additional evidence have been registered at a lower price than the actual price while making factually wrong statement that the various parcels of land, which are the subject matter of the sale deeds, are located outside the municipal limits of Karnal, when in fact, the parcels of land sold are located within the municipal limits. It has been stated that there is a widespread tendency of the vendees to undervalue the price in order to save the payment of stamp duty. The State of Haryana kept the land in question under acquisition from 13.03.1981 to 23.01.1991, hence, the sale instances of the area under threat of the acquisition are not available. It is contended that even after 1991 the regular surveys were being conducted for the acquisition of the land. While justifying reliance by the RC on the sale instance Ex.P58, it has been contended that the deduction thereupon should not be more than 30%. In the alternative, it has been submitted that the court while assessing the market value of acquired land should rely upon the assessed market value as on 05.03.1993 @ Rs.180/- per square yard of the land acquired for the extension of the Grain Market. It is contended that the court should grant a cumulative annual increase of 15% on the said amount for a period of 9 years which comes to Rs.550.62 per square yard. Reliance has been placed on the judgment passed in **Shiv Kumar and others vs. State of Haryana and others RFA 2461 of 2000 decided on 24.07.2017.** He further contended that the auction price of the shops, sold in auction conducted by HSIIDC in the year 2000-2001 in Urban Estate Sector 3, Karnal abutting the land in question reflect that Rs.4645.14 per square yard was the price of the land. It is also contended that the court should assess the market value of the acquired land while relying upon the Collector's rate for the commercial and the residential area as the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013 provides that the market value can be determined on the basis of the Collector's rate.

5.3 In order to project the potentiality and market value of the land, the landowners have claimed that the acquired land is not only fertile but is located in a prime area having an approach road. It has been asserted that since no other parcel of land except the acquired land was available in the vicinity, hence, the acquired land was in a great demand. While issuing notification under Section 4 of the 1894 Act in the year 1981, the HSIIDC has already developed a major chunk of land as Sector 3, Industrial Estate, Karnal, whereas this acquisition is for its expansion. It has also been claimed that by acquiring the various parcels of land, the New Grain Market as well as the vegetable market are now, located nearby and even the residential and commercial Sector 16, developed by the Haryana Urban Development Authority (HUDA) is now situated in the vicinity. The landowners claimed that the land is located very close to National Highway no.44, (previously known as National Highway No.1).

5.4 Before proceeding further, it would be appropriate to compile the information of the sale deeds produced by both the parties in their documentary evidence:-

Sr. No.	Ex	Sale deed	Village	Date of Sale	Area sold	Total amount
1.	P-7	711	Kambohura	13.5.1991	37B-8B	56,10,000/-
2.	P-8	267	Kasba Karnal	17.4.1997	14B	3,15,000/-
3.	P-9	1694	Moti Nager	24.6.1997	3-2/3B	1,50,000/-
4.	P-10	2076	Moti Nager	15.6.2000	20sq. Yards	60,000/-
5.	P-11	3151	Kasba Karnal	17.7.2001	374sq. Yards	2,00,000/-
6.	P-12	3152	Kasba karnal	17.7.2001	374sq. Yards	2,00,000/-
7.	P-13	1926	Kasba Karnal	28.5.2002	33.33.sq.yadrs	50,000/-
8.	P-14	6576	Kabsa Karnal	26.3.2003	655.176 sq. Yards	7,00,000/-
9.	P-15	2176	Vijay Nager Knl.	14.7.2003	413.33sq.yards	4,00,000/-
10.	P-16	13572	Kasba Karnal	28.3.2005	53.77sq. yards	4,00,000/-
11.	P-17	154	Kasba Karnal	5.4.2005	63B-2B	4,99,54,166/-
12.	P-18	423	Kasba Karnal	11.4.2005	44B-19B	355,85,416/-
13.	P-19	2254	Kabsa Karnal	17.5.2006	14B-17B	261,32,290/-
14.	P-20	2754	Kabsa Karnal	01.06.2006	9B-14B	**133375500/-**
15.	P-21	2755	Kabsa karnal	01.06.2006	25B-14B	3,53,37,500/-
16.	P-22	7729	Kasba karnal	14.12.2006	16B-9B	**2,7416666/-**
17.	P-25	1439	phoosgarg	29.6.90	10M	73000/-
18.	P-26	2844	Naimeste Chowk	31.10.91	1-1/2B	16,500/-
19.	P-27	2875	Namiste Chowk	4.11.1991	1 Biswa	13,500/-

20.	P-28	3568	Kasba Karnal	10.1.1995	1B	40,000/-
21.	P-29	4641	Kasba Karnal	16.12.1998	5B	1,16,000/-
22.	P-30	123	Vikas Nager	7.4.1999	1/2M	40,000/-
23.	**P-31**	4893	Kasba Karnal	9.10.2000	418 sq. Yard	2,30,000/-
24.	P-32	5667	Phoosgarh	10.11.2000	7M	2,00,000/-
25.	P-33	6667	Mangalpur	15.12.2000	40.78sq. Yard	64,000/-
26.	P-34	613	Mangalpur	26.4.2001	10-1/2 M	4,25,250/-
27.	P-35	1992	Mangalpur	7.6.2001	1K-4M	9,72,000/-
28.	P-36	2730	Mangalpur	29.6.2001	4M	1,62,000/-
29.	P-37	2758	Phoosgarh	2.7.2001	1M	48,000/-
30.	P-38	4794	Budhakhera	20.9.2001	4K-8M	12,10,000/-
31.	P-39	8052	Mangalpur	11.1.2002	11-27/30M	6,96,000/-
32.	P-40	2103	Phoosgarh	4.6.2002	22.77/30M	1,62,000/-
33.	P-41	3001	Moti Nager	21.8.2003	198sq. Yards	1,98,000/-
34.	P-42	4880	Phoosgarh	24.8.2006	7M	4,00,000/-

Sale deeds produced in additional evidence

Sr. No	Exhibit	Sale deed no.	Date	Total area	Price consideration	Price per acre
1.	HC-1	727	22.05.1996	28 biswas = 60 sq.yards	18,000/-	Rs.14,52,000/-
2.	HC-2	1962	22.09.1993	25/9 biswas = 60 sq.yards	17,000/-	Rs.13,71,333.33
3.	HC-3	3534	17.10.1997	35 sq.yards	17,500/-	Rs.24,20,000/-
4.	HC-4	1730	16.06.1998	1 bigha	Rs.2,00,000/-	Rs.9,60,003.17
5.	HC-5	1774	18.06.1998	1 bigha	Rs.2,00,000/-	Rs.9,60,003.17
6.	HC-6	3229	18.09.1998	4 biswas	50,000/-	Rs.12,00,004/-

5.5 Learned counsel appearing for the State of Haryana and the HSIIDC have disclosed that there are 1008.33 square yards area in a bigha of land. In other words, ordinarily an acre of land consist of approximately 4 ½ bighas. At this stage, it is considered appropriate to note glossary of words and expression noted in the judgment:-

Rectangle	25 acres of compact parcel of land (5x5 acres)
Acre	4840 square yards (Divided into 8 Kanals)
Kanal	605 square yards (Divided into 20 Marlas)
Marla	30.25 square yards
Bigha	1000.33 square yards (Divided into 20 Biswas)
Biswa	50.4165 square yard

5.6 The learned counsel representing the HSIIDC also claims that the amount offered by the LAC was appropriate, fair, adequate and reasonable. The acquired land was an agricultural land and stray sale deeds of tiny commercial plot of shop on the road, would not determine the market value of the entire acquired land measuring more than 54 acres. The parcels of land of two sale deeds Ex.HC-4 and HC-5, are very much a part of the acquired land in this acquisition. The land measuring 1 bigha each are the part of the acquired land and these parcels have been sold during the contemporaneous period at the rate of Rs.9,60,000/- per acre. He submits that the aforesaid sale deeds are the best sale exemplars to assess the market value of the acquired land. While drawing the attention of the Court to the layout plan Ex.HC-7 the learned counsel submits that the market value of the acquired land should be assessed on the basis of the comparable sale deeds rather than proceeding to assess the compensation on the basis of assumptions. He further submits that the LAC has correctly assessed the market value of the acquired land, therefore, the reference applications under Section 18 of the 1894 Act should be dismissed. In the end, while relying upon the recent judgment passed by the Supreme Court in **Bharat Sanchar**

Nigam Limited vs. M/s Nimi Chand Damodar Dass and another 2022 AIR (SC) 3458 he contends that the Collector's rate cannot be made the basis to assess the market value of the acquired land, particularly when the sale deed exemplars of the contemporaneous period are available. It is contended that the acquired land is an agricultural land and the Collector rate relied upon by the learned counsel representing the landowners with respect to the residential and commercial area cannot be relied upon.

5.7 Before examining the respective arguments of the learned counsel representing the parties, it is important to note that the market value of the acquired land is required to be determined on the date of publication of notification under Section 4 of the 1894 Act. In **Chiman Lal Hargovinddass vs. Special Land Acquisition Officer, Poona and another, (1988) 3 SCC 751**, the Supreme Court, in para 4 has laid down the broad points which should be kept in mind while assessing the market value of the acquired land, which are extracted as under:-

> **4.** *The following factors must be etched on the mental screen:*
>
> *(1) A reference under Section 18 of the Land Acquisition Act is not an appeal against the award and the court cannot take into account the material relied upon by the Land Acquisition Officer in his award unless the same material is produced and proved before the court.*
>
> *(2) So also the award of the Land Acquisition Officer is not to be treated as a judgment of the trial court open or exposed to challenge before the court hearing the reference. It is merely an offer made by the Land Acquisition Officer and the material utilised by him for making his valuation cannot be utilised by the court unless produced and proved before it. It is not the function of the court to sit in appeal against the award, approve or disapprove its reasoning, or*

correct its error or affirm, modify or reverse the conclusion reached by the Land Acquisition Officer, as if it were an appellate court.

(3) The court has to treat the reference as an original proceeding before it and determine the market value afresh on the basis of the material produced before it.

(4) The claimant is in the position of a plaintiff who has to show that the price offered for his land in the award is inadequate on the basis of the materials produced in the court. Of course the materials placed and proved by the other side can also be taken into account for this purpose.

(5) The market value of land under acquisition has to be determined as on the crucial date of publication of the notification under Section 4 of the Land Acquisition Act (dates of notifications under Sections 6 and 9 are irrelevant).

(6) The determination has to be made standing on the date line of valuation (date of publication of notification under Section 4) as if the valuer is a hypothetical purchaser willing to purchase land from the open market and is prepared to pay a reasonable price as on that day. It has also to be assumed that the vendor is willing to sell the land at a reasonable price.

(7) In doing so by the instances method, the court has to correlate the market value reflected in the most comparable instance which provides the index of market value.

(8) Only genuine instances have to be taken into account. (Sometimes instances are rigged up in anticipation of acquisition of land.)

(9) Even post-notification instances can be taken into account (1) if they are very proximate, (2) genuine and (3) the acquisition itself has not motivated the purchaser to pay a higher price on account of the resultant improvement in development prospects.

(10) The most comparable instances out of the genuine instances have to be identified on the following considerations:

(i) proximity from time angle,

(ii) proximity from situation angle.

(11) Having identified the instances which provide the index of market value the price reflected therein may be taken as the norm and the market value of the land under acquisition may be deduced by making suitable adjustments for the plus and minus factors vis-à-vis land under acquisition by placing the two in juxtaposition.

(12) A balance-sheet of plus and minus factors may be drawn for this purpose and the relevant factors may be evaluated in terms of price variation as a prudent purchaser would do.

(13) The market value of the land under acquisition has thereafter to be deduced by loading the price reflected in the instance taken as norm for plus factors and unloading it for minus factors.

(14) The exercise indicated in clauses (11) to (13) has to be undertaken in a common sense manner as a prudent man of the world of business would do. We may illustrate some such illustrative (not exhaustive) factors:

	Plus factors		*Minus factors*
1.	*smallness of size*	*1.*	*largeness of area*
2.	*proximity to a road*	*2.*	*situation in the interior at a distance from the road*
3.	*frontage on a road*	*3.*	*narrow strip of land with very small frontage compared to depth*
4.	*nearness to developed area*	*4.*	*lower level requiring the depressed portion to be filled up*
5.	*regular shape*	*5.*	*remoteness from developed locality*
6.	*level vis-à-vis land under acquisition*	*6.*	*some special disadvantageous factor which would deter a purchaser*
7.	*special value for an owner of an adjoining property to whom it may have some very special advantage*		

(15) The evaluation of these factors of course depends on the facts of each case. There cannot be any hard and fast or rigid rule. Common sense is the best and most reliable guide. For instance, take the factor regarding the size. A building plot of land say 500 to 1000 sq. yds. cannot be compared with a large tract or block of land of say 10,000 sq. yds. or more. Firstly while a smaller plot is within the reach of many, a large block of land will have to be developed by preparing a lay out, carving out roads, leaving open space, plotting out smaller plots, waiting for purchasers (meanwhile the invested money will be blocked up) and the hazards of an entrepreneur. The factor can be discounted by making a deduction by way of an allowance at an appropriate rate ranging approximately between 20 per cent to 50 per cent to account for land required to be set apart for carving out lands and plotting out small plots. The discounting will to some extent also depend on

> *whether it is a rural area or urban area, whether building activity is picking up, and whether waiting period during which the capital of the entrepreneur would be locked up, will be longer or shorter and the attendant hazards.*
> *(16) Every case must be dealt with on its own fact pattern bearing in mind all these factors as a prudent purchaser of land in which position the judge must place himself.*
> *(17) These are general guidelines to be applied with understanding informed with common sense."*

5.8 This judgment has been recently followed by the Supreme Court in **Bharat Sanchar Nigam Limited (supra)**.

5.9 The first argument of the learned senior counsel is with regard to allowing of the HSIIDC's application for the additional evidence on 07.09.2022. However, this Court has, once again, examined the matter. It may be noted here that Order XLI Rule 27 of the Code of Civil Procedure, 1908 enables the appellate court to allow the application for permission to lead the additional evidence. In fact, clause (b) of Order XLI Rule 27 permits the appellate court to require any document to be produced or any witness to be examined to enable it to pronounce judgment or for any other substantial cause. In the present case, HSIIDC has produced as many as 6 sale deeds. Sale deeds Ex. HC-4 and HC-5 are with respect to the area measuring 1 bigha (1008.33 sq yards) each comprised in khasra no.3282, land from which has been acquired by this notification dated 17.05.2002. These two parcels of land represented by Ex.HC-4 and HC-5 are with respect to a comparable parcel of land during the contemporaneous period. Both these sale deeds were executed in the month of June, 1998 whereas the notification under Section 4 of the 1894 Act was issued on 17.05.2002. Moreover, these parcels of land have been included in this acquisition. In such circumstances, the court allowed the application. Learned counsel has submitted that at the appellate stage, the court cannot permit a party to fill in the lacuna or to patch up the weak points in their case. It may be noted here that while allowing an application for the additional evidence, the court does not permit the parties to fill up a lacuna or to patch up the weak points. The primary duty of the court is to make sincere endeavours to do substantial justice between the parties. In its effort to do so, the court has to look for the best available evidence. While assessing the market value of the acquired land, the sale deeds of the contemporaneous period of the acquired land are the best evidence which can be produced by the parties to help the court to assess the appropriate market value. Hence, the aforesaid sale deeds, being relevant, have been permitted to be produced. On 07.09.2022, the landowners were granted an opportunity to lead evidence in order to rebut the additional evidence, however, no evidence was led. Thereafter, on 19.09.2022, the arguments on all the three connected batches of appeals were heard. The learned counsel representing the parties were given opportunity to file their written arguments. In the written arguments, the landowners complained that they were not supplied the copy of the application for permission to lead additional evidence. Hence, the appeals of this batch were ordered to be relisted for hearing on 30.09.2022, although the learned senior counsel never made any grievance to this effect either on 07.09.2022 or on 29.09.2022. Thereafter, learned senior counsel representing the landowners admitted that he was indeed supplied a copy of the application for permission to lead additional evidence and he does not wish to lead any counter evidence except a layout plan which has been taken on record as Ex.HC-LI. There is a small error in the order dated 07.09.2022. There are as many as 6 sale deeds and not 4 sale deeds alongwith a layout plan produced in additional evidence by the HSIIDC which were allowed to be produced. The same have been exhibited as Ex.HC-1 to HC-7.

5.10 As regards the first reason noted by the RC, there is no difference of opinion between the RC and this Court. Learned counsel do not dispute the correctness of the location of the acquired land as noticed by the RC. Learned counsel representing the parties do not dispute that the reasoning given by the RC while ignoring the various other sale deeds produced by them in order to determine market value except Ex.P58, is correct. At the cost of repetition, it may be noted that in **Sat Parkash and others vs. State of Haryana and others RFA-10339-2014 decided on 30.09.2022**, most of the sale deeds produced in evidence by the landowners have been discussed and have neither been found to be comparable nor of the contemporaneous period.

5.11 In any case, on a careful perusal of the layout plan Ex.PW6/B produced by the landowners, it is evident that the various parcels of land, sold by sale deeds bearing no.711 (dated 13.05.1991), 267 (dated 17.04.1997), 1694 (dated 24.06.1997), 2076 (dated 15.06.2000), 2176 (dated 14.07.2003) and 154 (dated 05.04.2005), are located across the National Highway No.41 which has now been renumbered as NH-44. Hence, these sale instances are not comparable.

Similarly, the sale deed no.13572 (dated 28.03.2005) is not only post the date of notification under Section 4 but also located far away from the acquired land. The sale deeds bearing no. 3151 (dated 17.07.2001) , 3152 (dated 17.07.2001) and 6576 (dated 26.07.2003) are with respect to the parcel of land located on the National Highway. In fact, sale deeds bearing no. 1926 (dated 28.05.2002), 6576 (dated 26.07.2003), 271 (dated 14.07.2003), 1357 (dated 28.03.2005), 154 dated 05.04.2005, 423 dated 11.04.2005, 2254 dated 17.05.2006, 2754 (dated 01.06.2006), 2755 (dated 01.06.2006), 7729 (dated 14.12.2006) are post the date of notification under Section 4 of the 1894 Act and hence, are not worth reliance. Moreover, it is evident that the various sale deeds produced by the landowners are not comparable with the acquired land. The sale deed no. 3530 (Ex.P58) and sale deed no. 1926 (Ex.P-13) (dated 08.05.2002) with respect to plots measuring 22.22 and 33.33 square yards are with respect to the shops located on Bajida Road.

5.12 On a careful perusal of the layout plan produced in this Court by the HSIIDC, it is evident that the National Highway is going from South to North. There is a 30 metres wide Sector road from the National Highway till the Bajida Road, which starts from the Eastern side and goes towards the Western side. After that, the Bajida Road is moving from North to South. The acquired land is located towards the East of the Bajida Road. In other words, this parcel of the land acquired vide notification dated 17.05.2002 is located in-between the Bajida Road and the parcel of land acquired vide notification dated 27.11.2002 which has already been developed as Sector 3, industrial area, Karnal. This parcel of land is better placed than the land acquired vide notification dated 11.07.2006. In other words, the land acquired vide notification dated 11.07.2006 is located towards the Western side of Karnal Bajida Road which is located farther from the National Highway. On the other hand, the distance of the acquired land is comparatively lesser than the distance of parcel of land acquired vide notification dated 11.07.2006 from the National Highway. Thus, the land acquired vide notification dated 17.05.2003 is closer to the National Highway as compared to the parcel of land acquired vide notification dated 11.07.2006.

5.13 The next argument of the learned counsel representing the landowners is with reference to the incorrect statement in the sale deed that the aforesaid parcel of land is located outside the municipal limits, though it falls within the municipal limits. It may be noted here that there is no material available on record to prove that in June, 1998 the parcels of the land represented by the sale deeds Ex. HC-4 and HC-5, were located within the municipal limits. Moreover, the aforesaid two sale deeds carry a presumption of correctness. It is for the landowners to rebut the same. They have not led any evidence to doubt the correctness of the price reflected in the aforesaid sale deeds. Learned counsel relies upon the judgment passed in **Udhav Dass vs. State of Haryana, (2010) 10 SCC 51.** This Court has carefully read the aforesaid judgment passed by the Supreme Court. In that case, the court was assessing the market value of the acquired land as on 17.05.1990 with respect to 162.5 acres of land situated in village Garhi Musalman, Sonipat. The court, on the basis of the material produced in evidence, found that certain sale deeds produced in evidence reflect the undervalued price in order to save the payment of stamp duty. With the greatest respect, such observations made by the apex court are not the ratio decidendi of the judgment. In the peculiar facts of the case, the court has made such observations particularly in view of the evidence led by the respective parties. However, in the present case, no such material has been produced on record. Hence, the judgment passed in **Udhav Dass case (supra**) with utmost respect is not applicable.

5.14 The next argument of the learned counsel is with respect to threat of acquisition which was alleged to have been kept alive from 1981. It may be noted here that the sale deeds Ex.HC4 and HC5 and various other sale deeds produced by the HSIIDC as well as the landowners prove that the property in the area was regularly being purchased and sold. In such circumstances, it would not be appropriate to record a finding that there was always a threat of acquisition upon the land.

5.15 The next argument of the learned counsel is with respect to the reduction of deduction of 50% applied by the RC on the price reflected in Ex.P58. It may be noted that the aforesaid question has been rendered academic in view of the reliance being placed upon the sale deeds Ex.HC4 and HC5 produced by the HSIIDC. Hence, no further discussion is required.

5.16 The next argument of the learned senior counsel is to the effect that the acquired land is located in a prime area because no other area is available. The argument is without substance as across the Bajita

Road on the Western side, huge unacquired area is still available. In any case, the market value of the acquired land is required to be assessed on the basis of the evidence while taking into consideration all the relevant factors. Hence, the argument has no substance.

5.17 Before assessing the market value of the acquired land, the court is required to look for the comparable sale instance of the contemporaneous period. In the present case, the acquired land is more than 54 acres. On the date of notification under Section 4 of the 1894 Act, the acquired land was being utilized for agricultural purposes. In these circumstances, comparing acquired land with a tiny plot of 22.22 square yards can neither be said to be appropriate nor justified. A tiny plot of 22.22 square yards is nowhere comparable with the considerable chunk of acquired land. It may be noted here that ordinarily an acre of land consists of 4840 square yards area. In the present case, the total acquired land comes to more than 2,61,360 square yards. The area of Ex.P58 i.e 22.22 square yards i.e 0.4590% of an acre of land, whereas, it is not even 0.01% of the total acquired land. The tiny plot measuring 22.22 square yards can, at the most, be used for opening a small shop. It can neither be used for agricultural purposes nor it can be used for residential purposes. Thus, it was not appropriate for the RC to place reliance on Ex.P58, particularly when various comparable sale deeds have been produced on record.

5.18 The next argument of the learned senior counsel is with reference to the market value of the land acquired on 05.03.1993 for the extension of grain market, Karnal. Learned senior counsel contends that the market value of the acquired land in these cases can be arrived at by granting a cumulative annual increase of 15% for a period of 9 years to be compounded annually. Such practice has already been deprecated by the Supreme Court in **Lal Chand's case (supra).** Learned counsel relies upon the judgment passed in **Shiv Kumar's case (RFA 2416-2000)**. On a careful reading of the judgment, it is found that there was no comparable sale exemplar of the contemporaneous period produced on record by the parties. The purpose of acquisition of land was for building the sewerage treatment plant in Karnal. The Court faced with the aforesaid situation, proceeded to assess the market value of the acquired land by awarding a cumulative annual increase at the rate of 12% per annum. However, the aforesaid judgment is in the facts of that case. But it cannot be treated as ratio decidendi for the cases where comparable sale deeds of contemporaneous period have been produced.

5.19 The next argument of the learned senior counsel is with respect to the price fetched by the HSIIDC in the public auction of the showroom-cum-offices and shops in Urban Estate, Sector 3, Karnal. It may be noted that such sale deeds are of the developed plots in a developed industrial area. Hence, the aforesaid plots are not comparable to the acquired land.

5.20 Learned senior counsel representing the landowners has tried to highlight that the entire area has been under acquisition from the year 1978. While referring to the layout plan Ex.HCLI, it has been submitted that the acquisition process started with the acquisition of the land in the year 1978 for constructing the vegetable market, Sector 4, Karnal. However, the aforesaid parcel of land is located on the other side of the National Highway no.44 (Delhi-Lahore GT Road). On this side, the acquisition started in the year 1981 when the land for developing Industrial Sector 3 was acquired. It may be noted here that the acquired land may be located at a strategic place, however, that by itself is not sufficient to assess the market value of the acquired land. Such location only refers to the potentiality of the land to be utilized, which is the subject matter of acquisition. This, at the most, can be a corroborating evidence. However, mere location of the land is not sufficient to assess the market value of the acquired land.

5.21 The last argument of the learned senior counsel is that the Collector's rate are the guidelines issued for the purpose of guiding the Registrars to collect the appropriate stamp duties payable on the various sale transactions/ transferred documents. Learned senior counsel submits that the acquired land should be treated as the commercial or residential land. Whereas, as per the finding arrived at by the RC, the acquired land was being used for agricultural purposes. There is no evidence to prove that the acquired land was predominantly, being used for residential or commercial purposes. It may be noted here that the first acquisition in the area was made in the year 1981. However, even during these 20 years, there is no evidence of exponential increase in the prices of the land. The sale deed Ex.HC-4 and HC-5 show that the land on 16.06.1998 was being sold at the rate of Rs.198.35 per square yard. Hence, the reliance placed by the learned counsel on the Collector's rate is not appropriate, particularly in view of recent Supreme Court judgment passed in **Bharat Sanchar Nigam's case (supra)**.

5.22 The learned senior counsel also objects to the admissibility of the sale deeds on the ground that without examining the vendor or the vendee, a certified copy of the sale deed cannot be relied upon. He submits that Section 51-A of the 1894 Act uses the expression 'may' which confers a discretion to the court to permit the certified copy of the sale deed to be produced in evidence or not. It may be noted here that in order to facilitate the production of the certified copy of the sale deed in evidence, the Parliament has dispensed with the requirement of proving such registered sale deeds in the cases arising under the Land Acquisition Act, 1894. By Act no. 68 of 1984, Section 51-A was added in the 1894 Act which enables the court to admit the certified copies of the document registered under the Registration Act, 1908 as evidence of the transaction recorded in such document. A five judge Bench of the Supreme Court in **Cement Corporation of India Limited vs. Burya (2004) 8 SCC 270** while interpreting Section 51-A of the 1894 Act held that the court has the discretion to admit certified copies. However, there should be some material to prove as to why such sale deed should not be admitted in evidence, particularly when Section 51A of the 1894 Act enables the court to accept a certified copy of a registered sale deed in evidence. A registered document carries the presumption of correctness and of document having been executed in a proper and approved manner. It was for the landowners to rebut the aforesaid presumption, however, as noticed, the landowners have not produced any evidence despite having been given repeated opportunities. Hence, the argument of the learned counsel that the sale deeds Ex.HC-1 to HC-7 should not be permitted in evidence cannot be accepted.

5.23 From a bare look at the layout plan produced by the HSIIDC, it is evident that the aforesaid two parcels of land (Ex.HC-4 and HC-5) comprised in khasra no.3282 are not located either on the Bajida Road or at a strategically important place but are very much a part of the acquired land. In a case where the sale instances of the acquired land are available, the market value is required to be assessed on that basis. The per acre price of the sale deeds Ex.HC-4 and Ex.HC-5 in the month of June, 1998 is Rs.9,60,000/-. There is a gap of 3 years 11 months between June, 1998 and 17th May, 2002. Hence, the landowners are held entitled to cumulative yearly increase at the rate of 12%. The calculation is as under:-

1st year increase @ 12%	Rs.10,75,200/- per acre
2nd year increase @ 12%	Rs.12,04,224/- per acre
3rd year increase @ 12%	Rs.13,48,731/- per acre
Monthly increase @ 12%	Rs.14,97,092/- per acre round figure Rs.15,00,000/- per acre. In other words, 309.91 per square yard

5.24 Hence, it is held that the landowners shall be entitled to the market value of the acquired land at the rate of Rs.309.91 per square yard which shall come to Rs.15,00,000/- per acre.

5.25 Now, the question that arises is as to how to asses the market value of the land located upto the depth of 1 acre on Bajida Road. In the absence of the comparable sale instances, this Court adopts the same percentage as noticed in the award passed by the LAC. The LAC has awarded Rs.6,00,000/- with respect to land located upto the depth of 1 acre on Bajida Road, whereas, the remaining land has been assessed at the rate of Rs.5,00,000/- per acre. Over and above the amount of Rs.5,00,000/- per acre, Rs.1,00,000/- i.e 20% is additionally assessed. Thus, adding 20% on the amount of Rs.15,00,000/-, the amount comes to Rs.18,00,000/- per acre. Consequently, the land located on Bajida Road upto the depth of 1 acre is assessed at Rs.18,00,000/- per acre.

6. <u>Decision:-</u>

6.1 In view of the aforesaid discussion, the appeals filed by the HSIIDC are allowed, whereas, the appeals filed by the landowners shall stand dismissed. The RC's award dated 27.03.2015 shall, accordingly, stand modified.

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

17.10.2022 **(ANIL KSHETARPAL)**
rekha **JUDGE**
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

SR. NO.	CASE NO.	PARTIES DETAILS
1.	RFA-3500-2015	SHAM BIHARI TH HIS LRS VS STATE OF HARYANA & ORS
2.	RFA-3580-2015	PREM CHAND & ORS VS STATE OF HARYANA & ORS
3.	RFA-4311-2015	DHARAMBIR SINGH ALIAS RAJINDER SINGH VS STATE OF HARYANA AND ORS
4.	RFA-4312-2015	KARAN SINGH AND ORS VS STATE OF HARYANA AND ORS
5.	RFA-4313-2015	MOHINDER SINGH (DECEASED) THR. HIS L.R. AND ANR VS STATE OF HARYANA AND ORS
6.	RFA-4314-2015	MOHINDER SINGH (DECEASED) THR. HIS L.R. AND ORS VS STATE OF HARYANA AND ORS

7.	RFA-4315-2015	RAJINDER PARSHAD VS STATE OF HARYANA AND ORS
8.	RFA-4316-2015	MOHINDER SINGH (DECEASED) THR. HIS L.R. AND ANR VS STATE OF HARYANA AND ORS
9.	RFA-4317-2015	PATASHO DEVI (DECEASED) THROUGH HER LEGAL HEIRS VS STATE OF HARYANA AND ORS
10.	RFA-4318-2015	DHARAMBIR SINGH ALIAS RAJINDER SINGH VS STATE OF HARYANA AND ORS
11.	RFA-4426-2015	SMT. RAJ BALA VS STATE OF HARYANA & ORS
12.	RFA-4564-2015	SUSHILA DEVI VS STATE OF HARYANA & ORS
13.	RFA-4727-2015	BHAG SINGH AND ORS VS STATE OF HARYANA & ORS
14.	RFA-4728-2015	ISHAM SINGH AND ANR VS STATE OF HARYANA & ORS
15.	RFA-4729-2015	SMT. SUNDER VS STATE OF HARYANA & ORS
16.	RFA-4730-2015	JAI PAL (SINCE DECEASED) THR. HIS LRS & ORS VS STATE OF HARYANA & ORS
17.	RFA-4731-2015	DHANVANTI DEVI VS STATE OF HARYANA & ORS
18.	RFA-4732-2015	SHAKUNTLA DEVI AND ANR VS STATE OF HARYANA & ORS
19.	RFA-4733-2015	KANWAR SINGH VS STATE OF HARYANA & ORS
20.	RFA-4734-2015	PARWATI DEVI VS STATE OF HARYANA & ORS
21.	RFA-4735-2015	PARWATI DEVI VS STATE OF HARYANA & ORS
22.	RFA-5598-2015	RAMJI DASS VS STATE OF HARYANA AND ORS.
23.	RFA-5784-2015	SMT. INDRA WATI AND ORS VS STATE OF HARYANA AND ORS
24.	RFA-5848-2015	UMRAO SINGH AND ORS VS STATE OF HARYANA & ORS
25.	RFA-5849-2015	UMRAO SINGH AND ORS VS STATE OF HARYANA & ORS
26.	RFA-3192-2016	PARWATI DEVI VS STATE OF HARYANA AND ORS
27.	RFA-6472-2015	SMT. KAMLA DEVI (SINCE DECEASED) THR. HER LRS VS. STATE OF HARYANA AND ORS
28.	RFA-150-2016	PURAN CHAND SINCE DECEASED THROUGH HIS LR. VS STATE OF HARYANA & ORS
29.	RFA-431-2016	SATISH KUMAR AND ORS VS STATE OF HARYANA AND ORS
30.	RFA-2145-2016	SUNIL KUMAR SINCE DECEASED TH. HIS LR VS STATE OF HARYANA AND ORS
31.	RFA-2903-2016	RAJESH KUMAR DECEASED TH. HIS LRS VS STATE OF HARYANA AND ORS
32.	RFA-2904-2016	RAJESH KUMAR DECEASED TH. LRS VS STATE OF HARYANA AND ORS
33.	RFA-113-2017	ISHRO DEVI AND ORS VS STATE OF HARYANA AND ORS
34.	RFA-2145-2017	HSIDC NOW HSIIDC LTD & ANR VS SUSHILA DEVI & ORS
35.	RFA-2148-2017	HSIDC NOW HSIIDC LTD & ANR VS PARWATI DEVI & ORS
36.	RFA-2149-2017	HSIDC NOW HSIIDC LTD & ANR VS RAM KUMAR & ORS

37.	RFA-2150-2017	HSIDC NOW HSIIDC LTD & ANR VS PURAN CHAND (SINCE DECEASED) THROUGH HIS LRS & OTHERS
38.	RFA-2152-2017	HSIDC NOW HSIIDC LTD & ANR VS SMT. RAJ BALA & OTHERS
39.	RFA-2154-2017	HSIDC NOW HSIIDC LTD & ANR VS HARI SINGH (DECEASED) THROUGH HIS LRS & ORS
40.	XOBJR-125-CI-2017	HSIDC NOW HSIIDC LTD & ANR VS HARI SINGH (DECEASED) THROUGH HIS LRS & ORS
41.	RFA-2155-2017	HSIDC NOW HSIIDC LTD & ANR VS KARAN SINGH & OTHER
42.	RFA-2156-2017	HSIDC NOW HSIIDC LTD & ANR VS MOHINDER SINGH & OTHERS
43.	RFA-2157-2017	HSIDC NOW HSIIDC LTD & ANR VS RAMJI DASS & OTHERS
44.	RFA-2158-2017	HSIDC NOW HSIIDC LTD & ANR VS PARWATI DEVI & OTHERS
45.	RFA-2159-2017	HSIDC NOW HSIIDC LTD & ANR VS ISHRO DEVI & OTHERS
46.	RFA-2160-2017	HSIDC NOW HSIIDC LTD & ANR VS BARU RAM & OTHERS
47.	RFA-2163-2017	HSIDC NOW HSIIDC LTD & ANR VS RAMESH CHAND & OTHERS
48.	RFA-2161-2017	HSIDC NOW HSIIDC LTD & ANR VS SATISH KUMAR & OTHERS
49.	RFA-2174-2017	HSIDC NOW HSIIDC LTD & ANR VS YASHPAL (NOW DECEASED) THROUGH LRS & OTHERS
50.	RFA-2177-2017	HSIDC NOW HSIIDC LTD & ANR VS KANWAR SINGH & OTHERS
51.	RFA-2178-2017	HSIDC NOW HSIIDC LTD & ANR VS SATISH KUMAR & OTHERS
52.	RFA-2179-2017	HSIDC NOW HSIIDC LTD & ANR VS RAJINDER PARSHAD & OTHERS
53.	RFA-2180-2017	HSIDC NOW HSIIDC LTD & ANR VS PAWAN KUMAR & OTHERS
54.	RFA-2181-2017	HSIDC NOW HSIIDC LTD & ANR VS DHARAM SINGH ALIAS RAJINDER SINGH AND ORS
55.	RFA-2182-2017	HSIDC NOW HSIIDC LTD & ANR VS SMT. INDRA WATI & OTHERS
56.	RFA-2183-2017	HSIDC NOW HSIIDC LTD & ANR VS SMT. PATASHO DEVI (DECEASED) THR. HER LRS & OTHERS
57.	RFA-2184-2017	HSIDC NOW HSIIDC LTD & ANR VS UMRAO SINGH & OTHERS
58.	RFA-2185-2017	HSIDC NOW HSIIDC LTD & ANR VS OM PARKASH ALIAS SACHIN DABRA & OTHERS
59.	RFA-2186-2017	HSIDC NOW HSIIDC LTD & ANR VS MOHINDER SINGH & OTHERS
60.	RFA-2187-2017	HSIDC NOW HSIIDC LTD & ANR VS SMT. KAMLA DEVI (DECEASED) THR. HER LRS AND OTHERS
61.	RFA-2188-2017	HSIDC NOW HSIIDC LTD & ANR VS JAI PAL & OTHERS
62.	RFA-2189-2017	HSIDC NOW HSIIDC LTD & ANR VS PREM CHAND & OTHERS
63.	RFA-2191-2017	HSIDC NOW HSIIDC LTD & ANR VS MOHINDER SINGH & OTHERS

64.	RFA-2192-2017	HSIDC NOW HSIIDC LTD & ANR VS SHAKUNTLA DEVI AND OTHERS
65.	RFA-2193-2017	HSIDC NOW HSIIDC LTD & ANR VS RAVINDER GUPTA & OTHERS
66.	RFA-2194-2017	HSIDC NOW HSIIDC LTD & ANR VS HARI DASS & OTHERS
67.	RFA-2195-2017	HSIDC NOW HSIIDC LTD & ANR VS KRISHNA DEVI & OTHERS
68.	RFA-2196-2017	HSIDC NOW HSIIDC LTD & ANR VS BHAG SINGH & OTHERS
69.	RFA-2197-2017	HSIDC NOW HSIIDC LTD & ANR VS DHARAMBIR SINGH ALIAS RAJINDER SINGH & OTHERS
70.	RFA-2198-2017	HSIDC NOW HSIIDC LTD & ANR VS SMT. SUNDER & OTHERS
71.	RFA-2199-2017	HSIDC NOW HSIIDC LTD & ANR VS SHAM BIHARI (SINCE DECEASED) THROUGH HIS LRS & OTHERS
72.	RFA-2200-2017	HSIDC NOW HSIIDC LTD & ANR VS JAI SINGH & OTHERS
73.	RFA-2201-2017	HSIDC NOW HSIIDC LTD & ANR VS MUKESH & OTHERS
74.	RFA-2202-2017	HSIDC NOW HSIIDC LTD & ANR VS KANTA DEVI & OTHERS
75.	RFA-2203-2017	HSIDC NOW HSIIDC LTD & ANR VS ISHWAR CHAND & OTHERS
76.	RFA-2175-2017	HSIDC NOW HSIIDC LTD VS BALBIR SINGH & OTHERS
77.	RFA-827-2018	HSIDC NOW HSIIDC LTD & ANR VS UMRAO SINGH & OTHERS
78.	RFA-2153-2017	HSIDC NOW HSIIDC LTD & ANR VS KIRAN JAIN & OTHERS
79.	RFA-2190-2017	HSIDC NOW HSIIDC LTD & ANR VS SMT. PANMESHWARI & OTHERS
80.	RFA-2381-2019	YASHPAL NOW DECEASED THR. LRS & ORS VS THE STATE OF HARYANA AND ORS
81.	RFA-2147-2017	HSIDC NOW HSIIDC LTD & ANR VS DHARAM PAL & OTHERS
82.	RFA-2162-2017	HSIDC NOW HSIIDC LTD & ANR VS ISHAM SINGH & OTHERS
83.	RFA-363-2016	SATISH KUMAR & ORS VS THE STATE OF HARYANA & ORS
84.	RFA-2176-2017	HSIDC NOW HSIIDC LTD & ANR VS KADAM SINGH & ORS
85.	RFA-2151-2017	HSIDC NOW HSIIDC LTD & ANR VS SMT. NIRMLA DEVI & ORS

17.10.2022 **(ANIL KSHETARPAL)**
rekha **JUDGE**