

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

RFA-7819-2013 (O&M)

Date of decision:21.03.2022

Dharam Chand @ Dharmbir and others

....Appellants

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amit Jain, Sr. Advocate with
Mr. Varun Parkash, Advocate
Mr. Brijesh Khosla, Advocate
Ms. Sanah Sahni, Advocate
Mr. Abhinav, Advocate
Mr. B.K.Bagri, Advocate
Mr. Gaurav Mohunta, Advocate
Mr. Tara Chand Dhanwal, Advocate
Mr. Deepender Ahlawat, Advocate
Mr. Sanjay Ghalawat, Advocate
Mr. Harkesh Manuja, Advocate
Mr. Sumit Sangwan, Advocate
for the landowners.

Mr. Rajiv Atma Ram, Sr. Advocate with
Mr. Arjun Partap Atma Ram, Advocate
for Jhajjar Thermal Power Plant

Mr. Shivendra Swaroop, AAG, Haryana.

ANIL KSHETARPAL, J

1. INTRODUCTION

This judgment shall dispose of a batch of 226 appeals
(details whereof are given at the foot of the judgment) filed under
Section 54 of the Land Acquisition Act, 1894 (hereinafter referred to the

'1894 Act') while assailing the correctness of different awards of the Reference Court passed on 30.03.2013, 29.04.2013 and 30.05.2013 respectively the landowners as well as the beneficiary of the acquisition have filed these appeals. Four connected writ petitions shall also stand disposed of. The Reference Court (hereinafter referred to as 'the RC') has disposed of various reference applications filed under Section 18 of the 1894 Act. The notifications under Section 4 and 6 of the 1894 Act are common. The land acquired for the construction of Jhajjar Thermal power plant is in a compact block of land which is spread over the villages Khanpur Kalan, Khanpur Khurd, Wazirpur and Jharali. Through the separate awards, the Land Acquisition Collector (hereinafter referred to as 'the LAC') has assessed the identical market value of the acquired land. It has been noticed that most of the evidence led by the parties is more or less common and the learned counsel representing the parties are not only common but are also ad idem that this batch of appeals can conveniently be disposed of by a common judgment.

2. **FACTS:-**

2.1 The relevant particulars are compiled as under:-

09.04.2007	Notification under section 4 of the 1894 Act was issued intending to acquire the land spread over in Khanpur Kalan, Khanpur Khurd, Wazirpur and Jhamari Villages for the purpose of construction of Jhajjar Thermal Power Plant
13.11.2007	Declaration under Section 6 of the 1894 Act was issued
22.09.2008	The LAC vide award no.7 acquired land measuring 531 acres 1 kanal i.e equivalent 4249 kanals located in village Khanpur Khurd at the rate of Rs.16,00,000/- per acre
26.09.2008	Vide award no.8 the LAC acquired land measuring

	1014 kanals 5 marlas located in village Jhamari @ Jharni @ Jharali at the rate of Rs.16,00,000/- per acre
20.11.2008	The LAC vide award no.10 acquired land measuring 3436 kanals 13 marlas equivalent to 429 acres 4 kanals 13 marlas out of the land located in village Khanpur Kalan @ Rs.16,00,000/- per acre.
30.03.2013	The RC while deciding the reference applications arising from the land located in village Jhamari @ Jharni @ Jharali assessed the market value at the rate of Rs.17,64,350/- per acre.
29.04.2013	The RC while assessing the market value of the acquired land in village Khanpur Kalan assessed the market value at the rate of Rs.17,77,222/- per acre
30.05.2013	While deciding cases arising from acquisition of land in village Khanpur Khurd, the RC assessed the market value at the rate of Rs.17,62,802/-.

2.2 It may be noted here that certain appeals filed by the Managing Director, Jhajjar Thermal Power Plant were decided by the High Court. The Supreme Court vide order dated 09.11.2021 passed in CA No.6622 of 2021 and other connected cases has remitted the cases back to this Court with a direction to re-decide them alongwith other connected cases within a period of six months. Now, the office has listed the cases arising from these three villages namely Khanpur Kalan, Khanpur Khurd and Jharni @ Jharali.

3. EVIDENCE PRODUCED BY THE RESPECTIVE PARTIES

3.1 In the cases arising from Village Jharni @ Jharali

3.1.1 Oral Evidence

In order to substantiate their case, the landowners of village Jharni @ Jharali, have examined PW1 Mange Ram, PW2 Ravinder, PW3 Om Parkash, PW4 Ram Kishan, PW5 Sher Singh and PW6 Jagvir. On the other hand, Jhajjar Power Limited has examined Sh.Rajiv Rao, Manager as RW1

3.1.2 Documentary evidence

Apart from the sale deeds of both the parties, a tabulated compilation of which is provided in para 3.4. the landowners have produced gazette notification Ex.P10, jamabandi for the year 2006-07 as Ex.P11, Aks-shizra (revenue layout plan) Ex.P12 whereas, Jhajjar Power Limited has produced power of attorney Ex.R5, photocopy of the roadmap of the District Jhajjar as Ex.R6, photocopy of the award dated 26.09.2008 as Ex.R7.

3.2 In the cases arising from Village Khanpur Kalan**3.2.1 Oral Evidence**

The landowners, in order to substantiate their claim, have examined PW1 Dharam Pal, PW2 Sahi Ram, PW3 Tek Ram, PW4 Phool Singh. On the other hand, Jhajjar Power Ltd. has examined the Rajiv Rao, its Manager as RW2.

3.2.2. Documentary evidence

Apart from the sale deeds produced by both the parties, a tabulated compilation of which is produced in para 3.4, the landowners have also relied upon Haryana Government Gazette dated 19.11.2010. Whereas the Jhajjar Power Limited produced Ex.R5 photocopy of the power attorney Ex.R6 photocopy of the roadmap of District Jhajjar and Ex.R7 photocopy of the award dated 26.09.2008 given with respect to acquisition of land in which village Jharni @ Jharali.

3.3 In Village Khanpur Khurd**3.3.1 Oral Evidence**

The landowners in order to substantiate their claim have

examined PW1 Suraj Bhan, PW2 Sher Singh, PW3 Munshi Ram on the other hand, the Jhajjar Power Ltd. produced Ex.R6, certified copy of the award dated 22.09.2008 Ex.R7, certified copy of the award no. 12 dated 4.12.2007 Ex/R8, copy of notification issued by the Govt. of Haryana on 1.08.2008 and copy of notification dated 13.11.2007 issued by Govt. of Haryana, as Ex.R9.

3.3.2 Documentary evidence

Apart from the sale deeds produced by both the parties (a tabulated compilation of which is produced in para 3.4), the landowners have also relied upon a certified copy of the lease deeds dated 16.02.2010, 29.07.2010, 16.02.2010 in support of their claim whereas the Jhajjar Power Limited examined RW1 Rajiv Rao Manager.

3.4 Tabulated Compilation of Sale deeds

Before this Court proceeds further, it would be appropriate to compile the details of the sale deeds of various villages produced by the respective parties in all the three set of cases. The sale deeds produced by the landowners as well as the Jhajjar power limited are compiled as under:-

Sr. No.	Exhi bit Nos.	Sale Deed No.	Date	Total Area	Price	Price Per Acre	Village
Village Jharni @ Jharali							
1.	P-4 P-15	323	16.05.2007	1M	1,07,500	1,72,00,000	Jharni @ Jharali
2.	P-8 P-19	729	27.07.2010	5A-3K- 2M	2,73,06,875	50,68,561	Jharni @ Jharali
3.	P-9 P-12 P-18 P-20	755	29.07.2010	3K-3M	19,88,438	50,50,001	Jharni @ Jharali
4.	R-4 R-5	169	03.05.2010	1A	13,00,000	13,00,000	Jharni @ Jharali
5.	P-2 P-12	182	01.05.2007	200 Sq.Yards	75,000	18,15,000	Jharni @ Jharali

Sr. No.	Exhibit Nos.	Sale Deed No.	Date	Total Area	Price	Price Per Acre	Village
Village Khanpur Kalan							
6.	P-8 P-18	1233	18.10.2010	10M	1,98,000	31,68,000	Khanpur Kalan
Village Khanpur Khurd							
7.	R-2 R-5	1964	08.11.2006	600 Sq. Yards	1,50,000	12,10,000	Khanpur Khurd
8.	P-3 P-11	137	24.04.2007	5M	53,500	17,12,000	Khanpur Khurd
9.	P-17 P-9	2266	19.12.2007	11M	1,17,000	17,01,818	Khanpur Khurd
10.	R-1 R-3	80	13.04.2007	3A-17M	31,06,500	10,00,080	Khanpur Khurd
11.	R-2	1325	28.08.2006	1K	1,51,500	12,12,000	Khanpur Khurd
Other Villages							
12.	P-1 P-14 P-22	4473	27.11.2006	2A-6M	44,82,500	22,00,000	Yakubpur
13.	P-2 P-16 P-24	4472	27.11.2006	2A-5K- 2M	58,02,500	22,00,000	Sondhi
14.	P-3 P-15 P-23	4467	27.11.2006	1A-2M	22,27,500	22,00,000	Nimana
15.	P-5 P-17	2682	12.02.2008	183 Sq. Yards	1,56,000	41,25,901	Beed Khushbas
16.	P-6 P-16	2672	08.02.2008	202 Sq. Yards	2,00,000	47,92,079	Islamgarh
17.	P-7 P-11 P-19	1652	16.02.2010	8A-2K- 16M	2,50,50,000	30,00,000	Bajitpur Tapa Birhor
18.	P-14 P-16 P-4	1883	25.10.2007	310 Sq. Yards	7,75,000	1,21,00,000	Bahu
19.	R-1 R-2 R-4	2828	27.02.2008	1A-5K- 4M	19,80,000	12,00,000	Mohan Badi
20.	P-1	1532	17.10.2002	9M	1,09,000	19,37,777	Matanhel
21.	P-2	1724	31.12.2003	3M	37,000	19,73,333	Matanhel
22.	P-3	1349	17.08.2004	2M	33,000	26,40,000	Matanhel
23.	P-4	1838	02.11.2004	10M	1,64,000	26,24,000	Matanhel
24.	P-5	1839	02.11.2004	8M	1,41,000	28,20,000	Matanhel
25.	P-6	2308	09.01.2006	141 Sq. Yards	92,000	31,58,014	Matanhel
26.	P-7	2515	06.02.2006	825 Sq. Yards	5,90,000	34,61,333	Matanhel
27.	P-9 P-6	2123	29.11.2006	11M	83,500	12,14,545	Bahu
28.	P-10 P-7	2930	14.03.2007	1M	14,500	23,20,000	Cahhroli
29.	P-13	401	24.05.2007	10M	1,30,000	20,80,000	Matanhel
30.	P-14 P-1	817	02.07.2007	2M	22,500	18,00,000	Bahu

Sr. No.	Exhibit Nos.	Sale Deed No.	Date	Total Area	Price	Price Per Acre	Village
31.	P-15 P-10	1881	25.10.2007	755 Sq.Yards	18,88,000	1,21,03,205	Bahu
32.	P-21 P-13	1653	16.02.2010	1A-12M	33,00,000	30,69,767	Bazipur Tapa Birhord
33.	R-3 R-3	1268	23.08.2006	2A-11M	7,25,000	3,50,453	Goriya
34.	R-4 R-1	1896	07.02.2011	1A	13,00,000	13,00,000	Mohan Badi
35.	P-5 P-8 P-13	2073	22.11.2006	330 Sq. Yards	2,15,000	31,53,333	Islamgarh
36.	P-7	2930	14.03.2007	1M	14,500	23,20,000	Cahhroli
37.	R-1	1896	07.02.2011	1A	13,00,000	13,00,000	Mohan Badi

Table explaining the meaning of various expressions used while referring to the size of unit of agricultural land.

1 Rectangle	=	5 X 5 = 25 Acre (Rectangular shape)
1 Acre (Rectangular shape)	=	160 Marlas
8 Kanal	=	1 Acre
1 Kanal	=	20 Marlas = 605 sq.yards
1 Acre	=	4840 Sq. Yards
1 Marla	=	30.25 Sq. Yards
1 Kanal	=	0.125 Acre
1 Marla	=	0.00625001 Acre
'//'	=	Rectangle
'/'	=	Killa/acre/khasra number

4. ARGUMENTS ADDRESSED BY THE RESPECTIVE COUNSELS

4.1 Heard the learned counsel representing the parties at length and with their able assistance perused the paperbooks as well as all the three records of the RC which were requisitioned.

4.2 Learned counsel representing the landowners have very heavily relied upon the judgment passed by the Supreme Court in

Aravali Power Company Pvt. Ltd. vs. Joginder Singh Tokash and others' (2019) 18 SCC 808 while assessing the market value of acquired land in villages Jharni @ Jharali, Khanpur Khurd, Goriya and Mohanbari @ Rs.25,00,000/- per acre with respect to the acquisition proceedings initiated by issuing notification dated 16.01.2007. They claim that the aforesaid parcel of land is located just across the road and therefore, the same amount of compensation should be awarded to the landowners, after calculating suitable escalation on account of gap of nearly three months between 16.01.2007 and 09.04.2007, the date of notification under Section 4 in these appeals. In the alternative, they contend that the court may assess the market value of the land on the basis of the sale instances produced by the landowners with respect to the various parcels of land in the concerned village.

4.3 Per contra, learned counsel representing the Jhajjar Power Ltd., which has also filed appeals, submits that the RC, in all three sets of cases, has erred in wrongly interpreting the Government policies dated 22.03.2007 and 09.11.2010. He contends that market value of the acquired land is required to be assessed as on the date of notification under Section 4 of the 1894 Act as provided under Section 23 of the 1894 Act. He submits that the RC has assessed the market value on the date of award which is an infringement of the statutory mandate. He further contends that the judgment passed by the Supreme Court, while deciding the various cases on 9.11.2021, should not be relied upon as it is specifically noted that the judgment is being passed in the peculiar facts of the case before it, particularly when the learned counsel

representing the parties, do not dispute the correctness of the sale instances which were post the date of notification under Section 4 of the 1894 Act. He further submits that the sale instances produced by the landowners have correctly been ignored by the RC as these sale instances were not with respect to comparable parcels of land.

5. DISCUSSION BY THIS COURT

5.1 Before this Court proceeds to discuss and analyze the arguments of the learned counsel for the parties, it is important to note that the RC, in all the three set of cases, has opined that the sale exemplars produced by the respective parties cannot be relied upon as these are not comparable. Thereafter, the RC proceeded to rely upon the policy decisions dated 22.03.2007 and 09.11.2010. The RC has held that as per the aforesaid policy, the market value of the acquired land, is required to be assessed on the date of award and the court keeping in view the minimum rate fixed as per the policy for compulsory acquisition of the land in both the policies, has calculated the increase and thereafter, assessed the market value as reflected in the tabulated information in para 2.1

5.2 It may be noted here that the landowners have filed various applications under Order 41 Rule 27 CPC with a prayer to permit them to lead additional evidence. Learned counsel representing the Jhajjar Power Company has consented to address the final arguments without filing reply while opposing the various applications filed for leading additional evidence.

5.3 Identical applications have been filed by the various

landowners seeking permission to lead in additional evidence, the following documents in evidence,

(1) the order passed by the High Court on 04.02.2006 while deciding **Joginder Singh Tokash vs. State of Haryana and others RFA-266-2012 decided on 04.02.2016** with respect to acquisition of land across the road initiated vide notification under Section 4 of the 1894 Act dated 16.01.2007. The High Court assessed the market value of the acquired land at the rate of Rs.29,00,400/- per acre, which was subsequently reduced by the Supreme Court to Rs.25,00,000/- per acre.

(2) A copy of the judgment passed by the Supreme Court in **Aravali Power Company Pvt. Ltd. vs. Joginder Singh Tukash and others** alongwith various other connected cases, reported as (2019) 18 SCC 808.

(3) Certain rough layout plans of the acquired land showing the location of the acquired land as well as the land covered by the judgment of the Supreme Court in **Aravali Power Company Limited (supra)** has also been produced.

(4) A copy of the notice issued under Section 9 of the 1894 Act in order to prove that the land comprised in the same rectangle located across the road belonging to the same landowner has been acquired in both the acquisitions.

5.4 Per contra, learned counsel representing the Jhajjar Power Thermal Company contends that such evidence cannot be permitted to be produced. He contends that the landowners have failed to fulfill the parameters of Order 41 Rule 27 CPC and therefore, these documents

cannot be permitted to be produced.

5.5 After having heard the learned counsel for the parties at length on the various applications filed for permission to lead additional evidence, this Court is of the considered opinion that the applications deserve to be allowed. It is evident that the High Court decided the various Regular First Appeals with respect to the acquired land situated across the road, after the judgment passed by the RC, which is subject matter of this batch of appeals. Similar is the position with regard to the judgment passed by the Supreme Court in **Aravali Power Company Pvt. Ltd(supra)**. The site plan and the notice under Section 9 of the 1894 Act produced by the landowners is going to help the Court in proper adjudication of the dispute. It is well settled that the First Appellate Court, being the last Court of fact, is required to re-appreciate the evidence and pass orders in accordance with law. Order 41 Rule 33 CPC enables the Appellate Court to pass any order while hearing the appeal which in its opinion is appropriate.

5.6 Keeping in view the aforesaid facts, the various applications for permission to lead additional evidence are allowed.

5.7 Now, let us shift our focus to the appeals. It may be noted here that the judgment passed by the High Court on 04.02.2016, which has been produced in additional evidence, has been modified by the Supreme Court vide judgment in **Aravali Power Company Ltd. (supra)**. Hence, the aforesaid judgment cannot be relied upon.

5.8 At this stage, it is important to extract the order passed by the Supreme Court while deciding a batch of appeals in **Aravali Power**

Company Ltd. (supra).

“3. Land acquisition proceedings were initiated by issuing a Notification on 16-1-2007 under Section 4 of the Land Acquisition Act, 1894 (in short “the Act”) and it was followed by declaration under Section 6 of the Act on 12-4-2007 and awards were passed on 4-6-2007, 12-7-2007, 8-5-2007 and 7-5-2007 determining compensation @ Rs 16,00,000 (Rupees sixteen lakhs only) per acre by the Land Acquisition Collector. Reference was sought under Section 18 of the Act. The Reference Court did not enhance the amount as the determination made by the Land Acquisition Collector was found to be proper. Thereafter appeals were preferred by the claimants as well as by the Arawali Power Company (P) Ltd. (in short “the Company”) before the High Court. The High Court had enhanced the compensation. The appeals against the order of the Reference Court preferred by the Company were rightly dismissed as the Company questioned determination made by the Land Acquisition Collector. In view of the provisions contained in Section 25 of the Act the compensation awarded by the Reference Court could not be lower than the amount awarded by the Land Acquisition Collector as such the High Court rightly dismissed the appeal preferred by the Company. However while allowing the appeals filed by the claimants, the High Court had determined the compensation at the rate of Rs 29,00,400 (Rupees twenty-nine lakhs four hundred only) per acre.

4. Aggrieved thereby the appeals have been preferred by the Company as well as the cross-appeals/objections by the owners for the enhancement of compensation.

5. We have heard the learned counsel for the parties at length. The High Court has taken into consideration four sale deeds:

(1) Ext. P-4 dated 27-7-2010 by which land admeasuring 43 kanals 2 marlas was sold at the rate of Rs 50,44,148 (Rupees fifty lakhs forty-four thousand one hundred and forty-eight only) per acre.

(2) Ext. P-5, sale deed dated 27-7-2010 was also approximately for the same amount;

(3) Ext. P-6, sale deed dated 29-7-2010 by which land measuring 3 kanals 3 marlas was sold for Rs 19,88,438 (Rupees nineteen lakhs eighty-eight thousand four hundred and thirty-eight only) i.e. approximately at the rate of Rs 50,50,000 per acre.

(4) Sale deed Ext. P-4(2) dated 16-5-2007 was also taken into consideration by which one marla was sold for Rs 1,07,500 (Rupees one lakh seven thousand and five hundred only) i.e. at the rate of Rs 1,72,00,000 (Rupees one crore seventy-two lakhs only) per acre.

6. However, the Court has made deduction of 70% from the sale deed Ext. P-4 dated 16-5-2007 and worked out the price at Rs 51,20,000 per acre. However while working out the price as per sale deed dated 27-7-2010 and other sale deed dated 29-7-2010 had applied the deduction of 12% per annum and has come to the valuation in January 2007 at the rate of Rs 32,31,200 (Rupees thirty-two lakhs thirty-one thousand and two hundred only) per acre and has granted the compensation at the rate of Rs 29,00,400 (Rupees twenty-nine lakhs four hundred only) per acre.

7. After hearing the learned counsel for the parties, we are of the considered opinion that **since it was agreed between the parties that the subsequent sale deeds were bona fide** and could be taken into consideration, we do not propose to disturb the consideration made by the High Court of the sale deeds which were executed in the year 2010 in the peculiar facts of the case **not to be treated as precedent at all as subsequent sale deeds are to be ignored.** However the sale deed (Ext. P-4) dated 16-5-2007 was of one marla area only. It was a very small area. Obviously it was not for agricultural purpose and must have been sold, considering its area, for residential or for commercial purposes. Thus sale deed dated 16-5-2007 could not have been taken into consideration by the High Court. However, while we take into consideration the sale deed of 2010 applying 12% deduction made by the High Court, further deduction towards development ought to have been made which was not made by the High Court.

8. **In the peculiar facts and circumstances of the case, we find that it would be appropriate to make approximately 15% deduction towards development and in the facts and circumstances of the case, we grant compensation at the rate of Rs.25,00,000 (Rupees twenty-five lakhs only) per acre along with statutory benefits.**

9. Consequently the appeals filed by the Company are partly allowed and the cross-appeals/cross-objections preferred by the owners are hereby dismissed. No costs.

Civil Appeals Nos. 4081-82 of 2017 [Arising from the Judgment and Order in Jai Lal v. State of Haryana, 2016 SCC OnLine P&H 19294 (Punjab and Haryana High Court, RFA No. 2057 of 2012, dt. 11-5-2016)]

10. *Heard the learned counsel for the parties. Delay condoned. Substitution allowed.*

11. *Considering the order [Set out in paras 1 to 9, above.] passed today in the batch of cases filed by Arawali Power Co. (P) Ltd. v. Joginder Singh Tokash and several other appellants, where we have partly allowed the appeals filed by the Arawali Power Company Pvt. Ltd. and the appeals filed by the owners have been dismissed, this appeal by the owners is also dismissed. Pending application, if any, stands disposed of.”*

5.9 In the considered view of the Court, an interesting question arises for consideration, which is as follows:-

“If while assessing the market value of the acquired land located across the road, the Supreme Court, observes in its order that certain facts which are generally irrelevant, ordinarily not required to be taken into consideration, has with their consent being taken into consideration in the peculiar facts and circumstances, then, whether such an assessment is still a binding as a precedent to assess the market value of a different land acquired by separate acquisition proceedings?”

5.10 It is evident that the aforesaid order was passed by the Supreme Court in peculiar facts of the cases on the basis of agreement between the parties before the Court. The parties had agreed that the subsequent sale deeds were bona fide and they could be taken into consideration. The Court in para 11 has specifically held that such cases are being decided in the peculiar facts and circumstances of the case.

The Court, itself, observe that the sale deeds which are post the date of

notification under Section 4 of the 1894 Act could not be relied upon.

5.11 In the humble opinion of the Court, the order passed by the Supreme Court while assessing market value of the acquired land, does not declare the price of the land in a particular village, town or area. The court assesses the market value on the basis of the evidence which as a ratio decidendi cannot be said to be binding. While relying upon a judgment passed by the Supreme Court in **Manoj Kumar etc. vs. State of Haryana and others (2018) 13 SCC 96** and **Krishan Kumar vs. Union of India and others (1990) 4 SCC 207**, this Bench in **Haryana State Industrial and Infrastructure Corporation Limited vs. Mahender Singh and others bearing RFA-684-2021** decided on 14.10.2021 has analysed this aspect in the following manner:-

“9.14 This issue is no longer res-integra. Recently, in **Manoj Kumar etc. vs. State of Haryana and others (2018) 13 SCC 96**, the Supreme Court has held that while assessing the market value, the Court is required to evaluate the various factors which goes to impact such a determination depending upon the peculiar facts governing each case. There cannot be any hard or fast rule for assessment of the market value. Common sense is the best and most reliable guide. While denouncing the practice of the courts to place an outright reliance on the previous judgments, the Supreme Court has declared that the decision cannot be applied ipso facto to the facts of the subsequent cases neglecting the other evidence. The Court has further warned of the ill effects of such an approach. The relevant discussion is in paras 11 to 14, which are extracted as under:-

“11. In our opinion, the High

Court could not have placed an outright reliance on Swaran Singh case [Swaran Singh v. State of Haryana, 2012 SCC OnLine P&H 19044] , without considering the nature of transaction relied upon in the said decision. The decision could not have been applied ipso facto to the facts of the instant case. In such cases, where such judgments/awards are relied on as evidence, though they are relevant, but cannot be said to be binding with respect to the determination of the price, that has to depend on the evidence adduced in the case. However, in the instant case, it appears that the land in Swaran Singh case [Swaran Singh v. State of Haryana, 2012 SCC OnLine P&H 19044] was situated just across the road as observed by the High Court as such it is relevant evidence but not binding. As such it could have been taken into consideration due to the nearness of the area, but at the same time what was the nature of the transaction relied upon in the said case was also required to be looked into in an objective manner. Such decisions in other cases cannot be adopted without examining the basis for determining compensation whether sale transaction referred to therein can be relied upon or not and what was the distance, size and also bona fide nature of transaction before such judgments/awards are relied on for deciding the subsequent cases. It is not open to accepting determination in a mechanical manner without considering the merit. Such determination cannot be said to be binding.

12. We have come across several decisions where the High Court is adopting the previous decisions as binding. The determination of compensation in each case depends upon the nature of land and what is the evidence adduced in each case, may be that better evidence has been adduced in later case regarding the actual value of property and subsequent sale deeds after the award and before preliminary notification under Section 4 are also to be considered, if filed. It is not proper to ignore the evidence adduced in the case at hand. The compensation cannot be determined by blindly following the previous award/judgment. It has to be considered only a piece of evidence, not beyond that. The court has to apply the judicial mind and is supposed not to follow the previous awards without due consideration of the facts and circumstances and evidence adduced in the case in question. The current value reflected by comparable sale deeds is more reliable and binding for determination of compensation in such cases award/judgment relating to an acquisition made before 5 to 10 years cannot form the safe basis for determining compensation.

13. The awards and judgment in the cases of others not being inter parties are not binding as precedents. Recently, we have seen the trend of the courts to follow them blindly probably under the misconception of the concept of equality and fair treatment. The courts are being swayed away and this

approach in the absence of and similar nature and situation of land is causing more injustice and tantamount to giving equal treatment in the case of unequals. As per situation of a village, nature of land, its value differ from distance to distance, even two to three kilometre distance may also make the material difference in value. Land abutting highway may fetch higher value but not land situated in interior villages.

14. *The previous awards/judgments are the only piece of evidence on a par with comparative sale transactions. The similarity of the land covered by previous judgment/award is required to be proved like any other comparative exemplar. In case previous award/judgment is based on exemplar, which is not similar or acceptable, previous award/judgment of court cannot be said to be binding. Such determination has to be outrightly rejected. In case some mistake has been done in awarding compensation, it cannot be followed; on the ground of parity an illegality cannot be perpetuated. Such award/judgment would be wholly irrelevant.”*

9.15 *In the considered view of this Court, the determination of the market value of the land on the basis of comparable sale exemplars of the contemporaneous period is the most preferred and logical method to arrive at a fair and true market value. While deciding such cases, the Court is required to adopt a holistic approach. The Court is expected to assess a just and appropriate market value on*

the basis of the evidence produced. In such circumstances, comparable sale deeds offer a good solution to the problem. They are considered as the best evidence to prove a fact being in the nature of direct evidence and help the Court to assess the market value more accurately and realistically. Once comparable sale deeds of the contemporaneous period are available to guide the court, it is not safe to rely upon a previous judicial assessment of the market value while ignoring the sale deeds which reflect the most accurate market value of the property on which a seller voluntarily offers to sell the property on receipt of the amount from a willing purchaser. Unless the correctness of the price, reflected in these sale deeds, is disputed on any ground duly proved, the court can safely rely upon the same for assessing the market value. If there are a large number of comparable sale deeds of the contemporaneous period, the Court can, with reasonable certainty, assess the market value while relying upon such sale instances.

9.16 *Furthermore, while assessing the market value of the acquired land under the 1894 Act, the Court is required to apply the test of preponderance of probabilities. Thus, the Court assesses the market value on the basis of the evidence produced. If the parties fail to produce sufficient evidence or the best evidence, the assessment of the court has to be on the basis of whatever evidence has been produced. In such circumstances, it may not be a true reflection of the market value prevailing at the relevant time. Hence, reliance on the previous judicial decision/determination may not be a safe method to calculate the market value particularly in a case where the direct evidence like sale exemplars of the relevant period have been produced. In such an eventuality, the court should prefer to assess the market value on the basis of the sale*

*exemplars. Undoubtedly, under Article 142 of The Constitution of India, the law declared by the Hon'ble Supreme Court is binding on all the courts, however, assessment of market value of the acquired land in a particular case in the absence of any declaration of law made on a particular point, is only a decision given on the facts of that particular case and such a decision merely on the question of fact is not binding. What is binding is the ratio of the decision and not any finding on facts, or the opinion of the court on any question which was only incidental in nature or was not required to be decided in a particular case. While assessing the market value of the acquire land, with highest respect, the Hon'ble Supreme Court does not as a ratio decidendi lays down a principle of law which is binding on all the courts. As correctly observed by the Hon'ble Supreme Court in Manoj Kumar's case (supra), such decision is only a piece of evidence produced for consideration of the court. However, in the appropriate cases, in the absence of any other evidence, the Presiding Judge may not be left with any choice but to rely upon the same in the absence of any other reliable or relevant evidence. The Hon'ble Supreme Court in **Krishena Kumar vs. Union of India and others (1990) 4 SCC 207**, while expounding on the phrase 'Ratio Decidendi' has held as under:-*

“20. In other words, the enunciation of the reason or principle upon which a question before a court has been decided is alone binding as a precedent. The ratio decidendi is the underlying principle, namely, the general reasons or the general grounds upon which the decision is based on the test or abstract from the specific

peculiarities of the particular case which gives rise to the decision. The ratio decidendi has to be ascertained by an analysis of the facts of the case and the process of reasoning involving the major premise consisting of a pre-existing rule of law, either statutory or judge-made, and a minor premise consisting of the material facts of the case under immediate consideration. If it is not clear, it is not the duty of the court to spell it out with difficulty in order to be bound by it. In the words of Halsbury (4th edn., Vol. 26, para 573)

“The concrete decision alone is binding between the parties to it but it is the abstract ratio decidendi, as ascertained on a consideration of the judgment in relation to the subject matter of the decision, which alone has the force of law and which when it is clear it is not part of a tribunal's duty to spell out with difficulty a ratio decidendi in order to bound by it, and it is always dangerous to take one or two observations out of a long judgment and treat them as if they gave the ratio decidendi of the case. If more reasons than one are given by a tribunal for its judgment, all are taken as forming the ratio decidendi.”

5.12 In the present case, it is evident that the market value of the acquired land did not increase exponentially even after issuance of notification under Section 4 of the 1894 Act. The land measuring 5 Acres 3 Kanals and 2 Marlas located in village Jharni @ Jharali has been sold vide sale deed No.729 dated 27.07.2010 at a much lesser rate than the amount assessed by the LAC with respect to market value in the year 2007. Furthermore, in village Khanpur Khurd with respect to the land measuring 3 acres and 17 Marlas of land has been sold at the rate of

Rs.10,00,080/- per acre vide sale deed No.80 dated 13.04.2007. There are various other sale instances of the land located in the villages in question suggesting that the prices of the acquired land in the present case were nowhere near the market value assessed of a different parcel of land acquired through a different notification which came to be decided in **Aravali Power Company Ltd. (supra)**.

5.13 Now, the Bench proceed to discuss the sale deeds produced by the various parties. With respect to the land located in village Jharni @ Jharali, the landowners have produced four sale instances (sale deed no. 4467, 1652, 729 and 755) all these four sale instances are post the date of notification under Section 4 of the 1894 Act. Similarly, with respect to the land located in village Khanpur Khurd, the landowners have produced as many as three sale instances which are with respect to the period which is post the date of notification under Section 4 of the 1894 Act. From Khanpur Khurd, itself, 4249 kanals of land, which is equivalent to 531 acres and 1 kanal, has been acquired. Further, the State has produced the sale deed no.169 (03.05.2010) with respect to land measuring 8 kanals, (which is equivalent to 1 acre) sold at the rate of Rs.13,00,000/- per acre. In other words, even after a period of three years, the prices in village Jharni @ Jharali did not increase.

5.14 It is also observed that the landowners have also relied upon certain sale deeds bearing number 4473, 4467, 4472. All the three sale deeds reflect the per acre price of the acquired land at the rate of Rs.22,00,000/-. However, these parcels of land are located in villages Yakubpur, Nimana and Sondi. The landowners have failed to lead

evidence to prove that the geographical location of the aforesaid parcels of land are comparable with the acquired land. As already noticed, no layout plan has been produced to enable the Court to compare the geographical location, quality and potential of both the lands. In the absence of any definite evidence, it would be more appropriate to rely upon the sale deed which relates to the various parcels of land of the villages in question i.e Khanpur Khurd, Khanpur Kalan and Jharni @ Jharali. Sale deed no.80 dated 30.04.2007 is with respect to more than 3 acres of land which has been sold in village Khanpur Khurd at the rate of Rs.10,00,080/- per acre. From a careful perusal of the aforesaid sale instance, it is evident that Rectangle number of the land sold has not been disclosed so as to enable the Court to compare its comparative location vis-à-vis the acquired land. Nonetheless, it is definite that the acquired land as well as the land covered by the sale deed no. 80 are located in the same revenue estate.

5.15 The remaining sale instances are with respect to land located in various other villages but the parties have failed to produce evidence to prove its comparative geographical location and evidence to the effect that these sale instances are comparable. Therefore, the RC has correctly held that these sale deeds produced in the evidence do not advance the cause of the landowners. This Court concurs with the aforesaid finding of the RC.

5.16 Consequently, RC has correctly held that the sale instances produced by the landowners are not with respect to comparable parcels of land. It is evident that in these four villages, the total acquired land

comes to more than 1100 acres of land. (3336 kanal 13 marlas +4249 kanals+ 1014 kanals 5 marlas+ 273 kanalas 5 marlas).

5.17 Both the parties have also produced the policy decision of the State of Haryana issued vide notification dated 09.11.2010 while fixing the floor rate for acquisition of the land. They have also produced in evidence award no.13 with respect to acquisition of land with respect to village Khanpur Kalan . The notification under Section 4 of the 1894 Act in this case was issued on 13.11.2007 and the LAC assessed the market value of the acquired land at the rate of Rs.16,00,000- per acre. Apart from that, the Jhajjar Thermal Power Ltd. has produced a map of Jhajjar District, and copies of LAC award no.10 and 13. Further, it is evident from the reading of the statement of Dharam Pal, who has appeared as PW1 before the RC in the cases arising from Khanpur Kalan, that the nearest city to the acquired land is Jhajjar which is at a distance of 35 kms. There is no evidence that on the date of notification under Section 4 of the 1894 Act there was any industrial or commercial activity near the acquired land.

5.18 Now, the last question which requires determination is “whether the RC has correctly held that while determining the market value of the acquired land according to the policies, the market value prevailing on the date of award is to be determined and not on the date of notification under Section 4 of the 1894 Act? At this stage, it is appropriate to extract Section 23 of the 1894 Act:-

“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 16 of 54 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, subsection (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 subsection, 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”

5.19 Both the policies of the Government i.e 23.03.2007 as well as 09.11.2010 are also extracted as under:-

“Subject:- Fixation of floor rates for the acquisition of land for public purpose in the State of Haryana.
Ref: This Department Memo No.2025-R-5-2005/4299 dated 28.4.2005.

Vide this Department Memo. Under reference, minimum floor rates for acquiring land for public purposes for various Departments as well as other State Agencies were fixed by the Haryana Government as follows:-

i) Minimum floor rate for urbanisable area of Gurgaon.	Rs.15.00 lacs per acre
ii) Minimum floor rate for rest of the Haryana Sub-Region of NCR including Panchkula and area of Chandigarh-periphery in the Haryana State	Rs.12.50 lacs per acre
iii) Minimum floor rate for the rest of the Haryana State	Rs.05.00 lacs per acre

These floor rates did not include the solatium and interest payable under the provisions of the Land Acquisition Act, 1894).

2. Now it has been observed that with the passage of time market rates of the land have increased substantially. Therefore, Haryana Government has re-increased this matter and has decided to re-fix these floor rates as follows:

i) Minimum floor rate for urbanisable area of Gurgaon	Rs.20.00 lacs per acre
ii) Minimum floor rate for rest of the Haryana Sub-Region of NCR including Panchkula and area of Chandigarh periphery in the Haryana State	Rs.16.00 lacs per acre
iii) Minimum floor rate for the rest of the Haryana State	Rs.08.00 lacs per acre

3. These floor rates do not include the solatium and

interest payable under the provisions of the Land Acquisition Act, 1894.

- 4. These revised rates will be applicable on all those acquisitions where awards have been announced on or after 22.3.2007 irrespective of the date of notification under Section 4 of the Land Acquisition Act, 1894.*
- 5. The Committee headed by the Divisional Commissioner will continue to perform its duties while fixing the rates of compensation for various categories of land under acquisition based on these floor rates. It will continue to take into account all those parameters for working out the land acquisition rates being followed at present while communicating the rates to the Acquiring Departments/Agencies in the State.”*

5.20 The aforesaid policy issued by the Government of Haryana was revised vide Notification No.3212-R-5-2010/12140 dated the 9th November, 2010, increasing the minimum rates in the State as fixed in the year 2007. The relevant portion of the policy dated 09.11.2010, is as under:-

“1. Revision of Floor Rates for determining the Compensation:

i)The Government had introduced the concept of determining the minimum floor rates of land for acquisition purposes for the first time vide Memo No.2025-R-5-2005/4299, dated 28.04.2005, which were further revised vide Memo No.1298-R-5-2007/4174, dated 06.04.2007. It has been observed that market rates of land have registered on upward movement with the passage of time and recovery of markets from the general economic meltdown of 2008-09. Accordingly, after considering all the

distortion/oberration and not representative of the average market value of land in the area) (ii) the Collector Rates prescribed for the area for charging the stamp duty on sale deeds, and (iii) the Minimum floor rates revised under this policy. While the highest of the above three rates would form the basis for working out the basic rates, the Committee would not be precluded from taking into account the current prevailing market rates, which could still be higher in certain cases, but based on some dependable/reliable guiding parameters. The said Committee is expected to give a well-reasoned justification behind its recommendations. It will continue to take into account all these parameters for working out the land acquisition compensation rates being followed at present while communicating the rates to the Acquiring Departments/ Agencies in the State. To the rates so determined, would be added the additional amount as per Section 23 (1A) and the 30% amount under Section 23(2) Payable in accordance with the Land Acquisition Act, 1894”.

5.21 On a careful reading of Section 23 of 1894 Act, it is evident that under clause 1 of sub-section 1 of Section 23, the market value of the acquired land at the date of publication of notification under Section 4(1) of the 1894 Act is required to be assessed. Furthermore, it is also crystal clear from the reading of the clause 4 of the policy dated 06.05.2007 that the policy does not provide that the amount is to be assessed as it is provided on the date of the award and not on the date of notification under Section 4 of the 1894 Act. Clause 4 only provides that the revised rates will be applicable only to those acquisitions

wherein the awards were announced on or after 22.03.2007 irrespective of the date of notification under Section 4 of the 1894 Act. In the considered opinion of this Court, this clause does not provide that the Court should ignore the mandate of the Act and assess the market value on the date of award. Once the entire scheme of the 1894 Act is based on the fact that the market value of the acquired land is required to be assessed on the date of issuance of publication of notification under Section 4 of the 1894 Act, then the policy, in the humble opinion of the Court, cannot be read in the manner interpreted by the RC which results in overriding the mandate of the statute. It may be noted here that a coordinate Bench in ***Om Parkash and others vs. State of Haryana and others*** in RFA-7450-2011 and connected cases decided on 30.03.2012 has no doubt, held that as per the policy, the assessment has to be made on the date of the award and not on the date of notification

“12. The policy dated 6.4.2007, shows that the minimum floor rates for the rest of the Haryana State were revised to Rs. 8,00,000/- per acre from Rs5,00,000/- per acre and the rates are applicable on all those acquisitions where awards by the Collector have been announced on or after 22.3.2007 irrespective of date of notification under Section 4 of the Act.

13. In the present case, the award was announced by the Collector on 28.11.2006 whereas as per aforesaid policies dated 28.4.2005 and 6.4.2007, the dates of applicability are 5.3.2005 and 22.3.2007, respectively. The State of Haryana itself had increased the value of the land from the year 2005 to 2007 by 60% in the area in question i.e. from Rs. 5,00,000/- to Rs8,00,000/- per acre. A perusal of the aforesaid policies shows that after a gap of nearly two years, the minimum compensation payable for acquisition of land was enhanced @ 30% per annum or the price as shown in 2005 is 37.5% less than the price shown in the year 2007. This is evident of rising prices of land on which there is lot of pressure in

recent times because of demand for urbanization and other infrastructural facilities. The process to frame or revise a policy starts in advance and finalisation thereof takes time.

14. The aforesaid policy letters, in my opinion, can be considered as a piece of evidence showing the value of the land. Considering the fact that the award in the present case was announced on 28.11.2006 and the fact that the State itself had granted increase @ 30% per annum for the time gap of two years in the policies, referred to above, at the same rate the landowners in the present case deserve to be granted proportionate increase. The time gap from policy dated 28.4.2005 till the award of the Collector in the present case is 19 months. For this period granting proportionate increase the amount of compensation shall come out to Rs. 7,35,000/- per acre. Accordingly, the value of the land in the present set of appeals is determined @ Rs. 7,35,000/- per acre. The landowner shall also be entitled to all the statutory benefits available under the Act. As compensation is being assessed on the basis of the policies framed by the State and there being no other relevant material on record showing value of the land in the area, in my opinion, nothing extra is required to be given on account of severance as the compensation already assessed will take care of even that aspect.

15. The appeals are disposed in the above terms..”

5.22 This Bench has also followed the aforesaid judgment. It is evident from the reading of the aforesaid judgment that the attention of the Court was not drawn to Section 23 (1)(i) of the 1894 Act. Furthermore, it is evident that the benefit under Section 23 (1-A) is also required to be calculated from the date of publication of notification under Section 4 of the 1894 Act till the date of award. Sub-section 1-A of Section 23 of the 1894 Act provides that the Court shall in every case, award an amount calculated at the rate of 12% per annum on such market value for the period commencing on or before the date of publication of notification under Section 4 of the 1894 Act to the date of

award passed by the Collector or the date of taking possession of the land, whichever is earlier. Thus, the entire scheme of the Act provides that the market value of the land is required to be assessed on the date of notification under Section 4 of the 1894 Act. The 1894 Act was repealed by the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Re-settlement Act, 2013 Act(hereinafter referred to as 'the 2013 Act'). Further, even the first proviso of Section 26 (1) of the 2013 Act clearly provides that the date for determination of market value shall be the date on which the notification has been issued under Section 11 of the 2013 Act. Section 11 enables the appropriate Government to issue preliminary notification.

5.23 Furthermore, this matter can be examined from another angle. It is well settled that a provision of a statute cannot be modified by issuing administrative instructions/policy decision. In such matters, the provisions of the Act are regarded supreme. No policy made under delegated legislation can be read in a manner which violates the provisions of the statute which is a superior form of legislation. If there is any conflict between the two (which in this case does not exist), the provisions of the Act shall prevail.

5.24 No doubt, this Bench has also followed the judgment passed by the Coordinate Bench while assessing the market value on the date of award in certain cases. However, since these aspects were not brought to the notice of the Court, therefore, this Bench does not wish to repeat the same mistake. In the absence of detailed discussion and proper examination, a point cannot be said to have been decided so as to be

treated as a ratio decidendi of a judgment. It is well settled that before a judgment is cited as a precedent, it is incumbent upon the party to prove that the judgment was delivered after due discussion and discourse on the point in issue. Further, once it is evident that the judgment has been passed in ignorance of a statutory provision, then, it is not considered appropriate to follow it as a precedent. In such situations and in general, the ultimate guide of the court is law, logic and justice. To err is human but the ideal approach is to learn from one's mistake. Keeping this spirit in mind, this Court holds that the date of assessment of the market value is required to be date of publication of notification under Section 4 of the 1894 Act and not the date of award.

5.25 The Government policy was issued on 22.03.2007, whereas, the notification under Section 4 of the 1894 Act has been issued on 09.04.2007. There is hardly a gap of 18 days. For such a small gap, no escalation needs to be granted.

5.26 Further, in RFA-4322, 4682-2016 and 804 of 2017 and RFA-805 of 2017, it has been contended that the landowners should not be deprived of the interest for the period of delay in filing and re-filing of the appeal. It may be noted here that vide order dated 17.08.2018, the Court condoned the delay in filing/re-filing the appeals on the condition that the appellant shall not be entitled to interest on the enhanced compensation, if any. These landowners filed Special Leave Petition before the Supreme Court, which has been disposed of with the following observations:-

“The petitioners are permitted to

withdraw this special leave petition with liberty to raise all such pleas when the final order is passed by the High Court.

The special leave petition is accordingly dismissed as withdrawn with the liberty aforesaid.”

5.27 Though the aforesaid question is also academic, however, since the learned counsel representing the parties insist, therefore, this Court proceeds to answer the question. As per the provisions of Limitation Act, 1963, the appeal is required to be filed within a period of 90 days. The aforesaid four appeals were filed on 12.08.2013 while challenging the award passed by the RC on 29.04.2013. The appeals were returned on 21.09.2013 by the office while pointing certain defects in filing of the appeals. Certain connected Appeals came to be dismissed by the High Court on 06.12.2013, against which the matter was taken to Supreme Court. The remaining pending appeals before the High Court were adjourned sine die. These four appeals after removing the defects, came to be re-filed in the year 2016.

5.28 As already noticed, the High Court while condoning the delay in filing and re-filing the appeals has imposed a condition. Learned counsel representing the appellants contend that the appellant should not be deprived of the interest. While dismissing the special leave petitions on 22.10.2018, the Supreme Court has only granted liberty to take up the plea.

5.29 Sh. Rajiv Atma Ram, learned senior counsel has drawn the attention of the Court to the award passed by the RC on 30.03.2013 to

contend that the RC has erred in ordering payment of the enhanced compensation alongwith interest at the rate of 9% per annum from the date of filing the reference petition till the date of its actual realization, apart from the statutory interest as payable under the 1894 Act. From a perusal of the award passed in the original file, it is evident that the aforesaid part of the award dated 30.03.2013 has been corrected vide correction slip dated 24.04.2013. Hence, the argument is rendered academic. In any case, in view of the foregoing discussion, it is evident that the assessment made by the LAC in the various awards does not require interference. Hence, the aforesaid question does not arise in the facts and circumstances of the case.

6 DECISION

6.1 Therefore, the appeals filed by Jhajjar Power Limited are allowed whereas the appeals of the landowners are dismissed. Consequently, the various judgments passed by the RC on 30.03.2013, 29.04.2013 and 30.05.2013 are set aside and the various award passed by the LAC on 22.09.2008 26.09.2008 and 20.11.2008 are, accordingly, upheld.

7. DISCUSSION AND DECISION WITH RESPECT TO 4 WRIT PETITIONS FILED BY THE JHAJJAR THERMAL POWER LIMITED COMPANY

7.1 Apart from the aforesaid Regular First Appeals, Jhajjar Power Limited has also filed four writ petitions seeking a writ of certiorari to quash the award passed by the Additional District Judge, in exercise of powers under Section 9 (3) of the **Haryana underground Pipelines (Acquisition of Right of User in Land) Act, 2008**

(hereinafter referred to as 'the 2008 Act'). This Act enables the State of Haryana to acquire the right to use the land for laying underground pipelines for carrying of water and gas in the State of Haryana. Section 9 (2) of the 2008 Act prescribes that 20% of the market value apart from the real damages shall be payable for acquisition of right of user in land for laying underground pipelines. In the present case, notification under Section 3(1) of the 2008 Act was issued on 27.08.2009, which was followed by a notification under Section 4 on 5.11.2009. The competent authority-cum-District Revenue Officer announced the award on 12.03.2010 while assessing the market value of the land at the rate of Rs.16,00,000/- per acre. Consequently, the landowners were held entitled to 20% of the market value i.e Rs.3,00,000/- per acre. In the present case, the right to user has been acquired for laying down underground pipeline to carry water from Akheri madanpura to Jharni @ Jharali through an underground pipeline.

7.2 It is evident from the reading of the judgment passed by the Principal Civil Court that the amount of compensation has been assessed after working out increase in the price on the basis of two policy decisions taken by the Government of Haryana namely 06.04.2007 and 09.11.2010 which have been extracted above. The Court after taking note of difference of 35 months and 30 days between the date of enforcement of policy dated 06.04.2007 till the date of award i.e. 12.03.2010 assessed the amount of compensation. For the reasons which have already been noticed, the gap is to be calculated only upto the date of notification under Section 4 (1) of the 2008 Act which is the

preliminary notification. Section 9(2) of the 2008 Act prescribes that the compensation shall be calculated at 20% of the market value of the land on the date of publication under sub-section 1 of Section 4 of 2008 Act. Thus, there is a gap of approximately 31½ months. The Tribunal has erred in calculating the gap upto the date of award which is not the intent of the statute. The amount is to be calculated as on the date of publication of declaration under sub-section 1 of Section 4 of the 2008 Act. The Court has held that the escalation comes to Rs.9,639/- per month. Thus, the amount of Rs.16,00,000/- would increase to Rs.19,03,628.50 per acre instead of Rs.19,43,791/-. Hence, the various awards passed by the RC on 19.01.2015 shall stand modified and the landowners are held entitled to one fifth of Rs.19,03,628.50, which comes to Rs.3,80,725.70 per acre.

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

21.03.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE

Sr. No.	Case No.	Party Name
1.	RFA-1797-2014	AMARJEET AND ORS V/S STATE OF HARYANA AND ORS
2.	RFA-1794-2014	VIJAYPAL @VIJAY PAL & ANR V/S STATE OF HARYANA & ORS
3.	RFA-1795-2014	PARAS RAM & ORS V/S STATE OF HARYANA & ORS
4.	RFA-1798-2014	SMT. GAINA V/S STATE OF HARYANA & ORS
5.	RFA-1501-2014	MANSA RAM AND ORS V/S STATE OF HARYANA AND ORS
6.	RFA-1504-2014	UMED SINGH AND ORS V/S STATE OF HARYANA AND ORS
7...	RFA-1502-2014	SAT NARAYAN AND ORS V/S STATE OF HARYANA AND ORS
8.	RFA-1503-2014	CHANRO AND ORS V/S STATE OF HARYANA AND ORS

9.	RFA-7818-2013	DHARAM CHAND (DECEASED) THR. LRS. V/S STATE OF HARYANA & ORS
10.	RFA-153-2019	SULTAN SINCE (DECEASED) THRU LRS AND ORS V/S STATE OF HARYANA AND ORS
11.	RFA-154-2019	BHARAT SINGH DECEASED THORUGH LRS V/S STATE OF HARYANA AND OTHERS
12.	RFA-2760-2014	SHAKUNTLA AND ORS V/S STATE OF HARYANA AND ORS
13.	RFA-2762-2014	SHAKUNTLA AND ORS V/S STATE OF HARYANA AND ORS
14.	RFA-2761-2014	SHAKUNTLA AND ORS V/S STATE OF HARYANA AND ORS
15.	RFA-7819-2013	DHARAM CHAND @ DHARMBIR & ORS V/S STATE OF HARYANA & ORS
16.	RFA-1104-2014	GUGAN & ORS V/S STATE OF HARYANA & ORS
17.	RFA-1796-2014	HOSHIYAR SINGH AND ORS V/S STATE OF HARYANA AND ORS
18.	RFA-1310-2018	GHISA DECEASED THRU LRS V/S STATE OF HARYANA AND ORS.
19.	RFA-1312-2018	RAJBIR AND OTHERS V/S STATE OF HARYANA & OTHERS
20.	RFA-1311-2018	SATBIR SINGH AND OTHERS V/S STATE OF HARYANA AND OTHERS
21.	RFA-1882-2018	RAM KISHAN AND ORS V/S STATE OF HARYANA AND ORS.
22.	RFA-2492-2018	RAM KISHAN AND ORS V/S STATE OF HARYANA AND ORS.
23.	RFA-3447-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. CLP GROUP PVT LTD V/S INDRAWATI AND ORS
24...	RFA-3351-2014	AMARJEET AND ORS V/S STATE OF HARYANA AND ORS
25.	RFA-3352-2014	SAJJAN SINGH V/S STATE OF HARYANA AND ORS
26.	RFA-3439-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. CLP GROUP PVT LTD V/S SHER SINGH AND ORS
27.	RFA-3435-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. CLP GROUP PVT LTD V/S VED PARKASH AND ORS
28.	RFA-3437-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S INDRAWATI & ORS
29.	RFA-3442-2014	MD, JHAJJAR THERMAL POWER PLANT LTD CLP GROUP PVT LTD V/S ANOOP SINGH AND ORS
30.	RFA-3443-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S AMARJEET & ORS
31.	RFA-3446-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. CLP GROUP PVT LTD V/S UMED SINGH AND ORS
32.	RFA-3440-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S GUGAN & ORS
33.	RFA-3441-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. CLP GROUP PVT LTD V/S BHARAT SINGH AND ORS
34.	RFA-3434-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. CLP GROUP PVT LTD V/S MUNSHI RAM AND ORS
35.	RFA-3438-2014	MD, JHAJJAR THERMAL POWER PLANT LTD CLP GROUP PVT LTD V/S HARDEV AND ORS
36.	RFA-3430-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S KAMAL SINGH& ORS
37.	RFA-3431-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. AND ORS V/S GUGAN AND ORS
38.	RFA-3433-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S AMARJEET & ORS

39.	RFA-3436-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S RAJBIR & ORS
40.	RFA-3444-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S RAM KISHAN AND ORS
41.	RFA-3445-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S BUJA & ORS
42.	RFA-3432-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. CLP GROUP PVT LTD V/S SMT. GAINA AND ORS
43.	RFA-2783-2016	JAGBIR & OTHERS V/S STATE OF HARYANA & OTHERS
44.	RFA-805-2017	DAYACHAND @ DAYANAND (DECEASED) THR LRS. & ORS V/S STATE OF HARYANA & ORS
45.	RFA-804-2017	ATTAR SINGH AND ORS. V/S STATE OF HARYANA AND ORS.
46.	RFA-4322-2016	DHARAMPAL SINCE DECEASED THROUGH LRS AND ORS. V/S STATE OF HARYANA AND ORS.
47.	RFA-6381-2014	BHARTO DEVI (DECEASED) THR. LRS. & ORS V/S STATE OF HARYANA & ORS
48.	RFA-6382-2014	SMT. SANTOSH & ORS V/S STATE OF HARYANA & ORS
49.	RFA-6399-2014	SUMER SINGH & ORS V/S STATE OF HARYANA & ORS
50.	RFA-6389-2014	RAJBIR & ANR V/S STATE OF HARYANA & ORS
51.	RFA-6391-2014	SAVITRI & ORS V/S STATE OF HARYANA & ORS
52.	RFA-6384-2014	RAM KISHAN (DECEASED) THR. LRS. & ORS V/S STATE OF HARYANA & ORS
53.	RFA-6385-2014	SHISH RAM & ORS V/S STATE OF HARYANA & ORS
54.	RFA-6392-2014	ASHOK KUMAR AND ORS. V/S STATE OF HARYANA AND ORS.
55.	RFA-6393-2014	SAHI RAM (DECEASED) THR. LRS. & ORS V/S STATE OF HARYANA & ORS
56.	RFA-6394-2014	GANGAMAN V/S STATE OF HARYANA & ORS
57.	RFA-6395-2014	KAPTAN & ORS V/S STATE OF HARYANA & ORS
58.	RFA-6398-2014	RAMOTAR AND ORS. V/S STATE OF HARYANA AND ORS.
59.	RFA-6388-2014	INDER SINGH & ORS V/S STATE OF HARYANA & ORS
60.	RFA-6396-2014	SAVITRI & ORS V/S STATE OF HARYANA & ORS
61.	CWP-15525-2015	JHAJJAR POWER LTD. TH. DIRECTOR NAVEEN MUNJAL V/S STATE OF HARYANA AND ORS.
62.	CWP-15447-2015	JHAJJAR POWER LTD. TH. DIRECTOR NAVEEN MUNJAL V/S STATE OF HARYANA AND ORS.
63.	RFA-2970-2014	MD, JHAJJAR THERMAN POWER PLANT LTD V/S RAM SINGH & ORS
64.	RFA-2974-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP V/S SURAJ BHAN AND ORS
65.	RFA-2978-2014	MD, JHAJJAR THERMAN POWER PLANT LTD V/S CHET RAM & ORS
66.	RFA-2982-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP V/S DAYANAND AND ORS
67.	RFA-2989-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP PVT. LTD V/S TEK RAM AND ORS
68.	RFA-2973-2014	MD, JHAJJAR THERMAN POWER PLANT LTD V/S CHET RAM & ORS
69.	RFA-2992-2014	MD, JHAJJAR THERMAL POWER PLANT LTD V/S SUMER SINGH & ORS
70.	RFA-2967-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P GROUP PV V/S SANTRA AND ORS
71.	RFA-2971-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P GROUP PV V/S DHARAMPAL AND ORS.

72.	RFA-2985-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P GROUP PV V/S RANBIR AND ORS
73.	RFA-2988-2014	MD, JHAJJAR THERMAL POWER PLANT LTD V/S BHARTO & ORS
74.	RFA-2991-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP PVT. LTD V/S RAM KAWAR AND ORS
75.	RFA-2976-2014	MD, JHAJJAR THERMAN POWER PLANT LTD V/S SAVITRI & ORS
76.	RFA-2993-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P GROUP PVT V/S OM PARKASH AND ORS
77.	RFA-2995-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP V/S RAM KAWAR AND ORS
78.	RFA-3000-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P GROUP PV V/S GANGA CHAND AND ORS
79.	RFA-3004-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP PVT. LTD V/S GANGAMAN AND ORS
80.	RFA-2994-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P GROUP PVT. LTD V/S SAVITRI AND ORS
81.	RFA-2996-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P GROUP PV V/S SUNITA AND ORS
82.	RFA-2999-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP V/S SAHI RAM AND ORS
83.	RFA-3007-2014	MD, JHAJJAR THERMAL POWER PLANT LTD V/S SATISH RAM & ORS
84.	RFA-3008-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P GROUP PV V/S PARVEEN (MINOR) THR. HIS NATURAL GUARDIAN/MOTHER AND ORS
85.	RFA-3009-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD. C.L.P. GROUP V/S SHISH RAM AND ORS
86.	RFA-3010-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP V/S SMT. SANTOSH AND ORS
87.	RFA-3014-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP V/S PHOOL SINGH AND ORS
88.	RFA-2981-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD. C.L.P. GROUP PVT. LTD V/S SHRI CHAND AND ORS
89.	RFA-2984-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P GROUP PV V/S SHEESH PAL AND ORS
90.	RFA-2987-2014	MD, JHAJJAR THERMAL POWER PLANT LTD V/S KAPTAN & ORS
91.	RFA-2990-2014	MD, JHAJJAR THERMAL POWER PLANT LTD V/S RAJBIR AND ORS
92.	RFA-2997-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP V/S ATTAR SINGH AND ORS
93.	RFA-3002-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP V/S RAMOTAR AND ORS
94.	RFA-3013-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP V/S ATTAR SINGH AND ORS
95.	RFA-2968-2014	MD, JHAJJAR THERMAL POWER PLANT LTD V/S DAYANAND & ORS
96.	RFA-2969-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P GROUP PV V/S SAVITRI AND ORS
97.	RFA-2972-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP V/S ASHOK KUMAR AND ORS
98.	RFA-2975-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD. C.L.P. GROUP V/S DHARAMBIR AND ORS
99.	RFA-3001-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD. C.L.P. GROUP V/S JAIBIR AND AND ORS
100.	RFA-3005-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP V/S RAMDEI AND ORS

101.	RFA-3011-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP V/S PHOOL BAGH & ORS
102.	RFA-6387-2014	RAMOTAR (DECEASED) THR. LRS. & ORS V/S STATE OF HARYANA & ORS
103.	RFA-6379-2014	RAM KAWAR AND ORS. V/S STATE OF HARYANA AND ORS.
104.	RFA-6383-2014	RAM KANWAR AND ANR. V/S STATE OF HARYANA AND ORS.
105.	RFA-6386-2014	SHRI CHAND AND ANR. V/S STATE OF HARYANA AND ORS.
106.	RFA-6397-2014	PHOOL BAGH AND ORS. V/S STATE OF HARYANA AND ORS.
107.	RFA-2977-2014	MD, JHAJJAR THERMAN POWER PLANT LTD V/S RAM MEHAR & ORS
108.	RFA-3012-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP PVT. LTD V/S RAM KISHAN AND ORS
109.	RFA-2979-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD. C.L.P. GROUP V/S MAHENDER SINGH AND ORS
110.	RFA-2986-2014	MANAGING DIRECTOR JHAJJAR THERMAL POWER PLANT LTD C.L.P GROUP PVT. LTD V/S RAMOTAR AND ORS
111.	RFA-2998-2014	MANAGING DIRECTOR JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP PVT. V/S BHARTO DEVI & ORS
112.	RFA-3006-2014	M.D. JHAJJAR THERMAL POWER PLANT LTD C.L.P. GROUP PVT. LTD V/S DAYANAND AND ORS
113.	RFA-3003-2014	MD, JHAJJAR THERMAL POWER PLANT LTD V/S SHEERA @ SHER SINGH & ORS
114.	RFA-3847-2016	PHOOL SINGH V/S STATE OF HARYANA TH COLLECTOR JHAJJAR AND ORS
115.	RFA-2983-2014	MD, JHAJJAR THERMAL POWER PLANT LTD V/S SHISH RAM & ORS
116.	RFA-6171-2014	DAYA CHAND @ DAYANAND (DECEASED) THR. LRS. AND ORS. V/S STATE OF HARYANA AND ORS.
117.	RFA-6174-2014	MAHENDER SINGH AND ORS. V/S STATE OF HARYANA AND ORS.
118.	RFA-6175-2014	SANTRA AND ORS. V/S STATE OF HARYANA AND ORS.
119.	RFA-6181-2014	SHEESH PAL AND ORS. V/S STATE OF HARYANA AND ORS.
120.	RFA-6183-2014	JAIBIR AND ORS. V/S STATE OF HARYANA AND ORS.
121.	RFA-6187-2014	TEK RAM AND ORS. V/S STATE OF HARYANA AND ORS.
122.	RFA-6188-2014	BALWANT AND ORS. V/S STATE OF HARYANA AND ORS.
123.	RFA-6169-2014	MAHABIR AND ORS. V/S STATE OF HARYANA & ORS
124.	RFA-6170-2014	PARVEEN (MINOR) THR HIS NATURAL GUARDIAN AND ORS. V/S STATE OF HARYANA AND ORS.
125.	RFA-6176-2014	ATTAR SINGH (DECEASED) THR LRS AND ANR. V/S STATE OF HARYANA AND ORS.
126.	RFA-6178-2014	OM PARKASH AND ORS. V/S STATE OF HARYANA AND ORS.
127.	RFA-6179-2014	SHEERA @ SHER SINGH AND ORS. V/S STATE OF HARYANA AND ORS.
128.	RFA-6180-2014	RAMHER AND ANR. V/S STATE OF HARYANA AND ORS.
129.	RFA-6182-2014	RANBIR AND ORS. V/S STATE OF HARYANA AND ORS.
130.	RFA-6185-2014	RAM SINGH & ORS V/S STATE OF HARYANA & ORS

131.	RFA-6172-2014	CHET RAM AND ORS. V/S STATE OF HARYANA AND ORS.
132.	RFA-6177-2014	CHET RAM AND ORS. V/S STATE OF HARYANA AND ORS.
133.	RFA-6173-2014	SHISH RAM AND ORS. V/S STATE OF HARYANA AND ORS.
134.	RFA-6186-2014	GANGAMAN AND ORS. V/S STATE OF HARYANA AND ORS.
135.	RFA-2980-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER LTD. VS. PRABHU AND ORS.
136.	CWP-15623-2015	JHAJJAR POWER LTD V/S STATE OF HARYANA AND ORS.
137.	CWP-15404-2015	JHAJJAR POWER LTD. V/S STATE OF HARYANA AND ORS.
138.	RFA-6380-2014	SAVITRI & ORS V/S STATE OF HARYANA & ORS
139.	RFA-6184-2014	DHARAMBIR AND ANR. V/S STATE OF HARYANA AND ORS.
140.	RFA-6390-2014	SHISH RAM & ORS V/S STATE OF HARYANA & ORS
141.	RFA-4682-2016	SUNITA AND ORS. V/S STATE OF HARYANA AND ORS.
142.	RFA-1030-2014	JAGBIR & ORS V/S STATE OF HARYANA & ORS
143.	RFA-1029-2014	JAGBIR & ORS V/S STATE OF HARYANA & ORS
144.	RFA-6532-2013	MANAGING DIRECTOR JHAJJAR THERMAL POWER LTD V/S JAGVIR AND ORS
145.	RFA-6595-2013	MANAGING DIRECTOR, JHAJJAR POWER LTD V/S SMT KAMLI & ORS
146.	RFA-6527-2013	MANAGING DIRECTOR JHAJJAR POWER LTD V/S JAGBIR AND ORS
147.	RFA-6528-2013	MANAGING DIRECTOR JHAJJAR THERMAL POWER LTD V/S SMT. SARBATI AND ORS
148.	RFA-6529-2013	MANAGING DIRECTOR JHAJJAR THERMAL POWER LTD V/S SMT. LUXMI AND ORS
149.	RFA-6530-2013	MANAGING DIRECTOR JHAJJAR THERMAL POWER LTD V/S BHAGWANA AND ORS
150.	RFA-6531-2013	MANAGING DIRECTOR JHAJJAR THERMAL POWER LTD V/S JAGVIR AND ORS
151.	RFA-4733-2016	SMT. SARBATI SINCE DECEASED THROUGH LRS & ORS V/S STATE OF HARYANA AND ORS
152.	RFA-4734-2016	LUXMI (SINCE DECEASED) TH LRS AND ORS V/S STATE OF HARYANA THROUGH COLLECTOR AND ORS
153.	RFA-2087-2016	JAGVIR V/S STATE OF HARYANA AND ORS
154.	RFA-4132-2016	SMT. KAMLI AND ORS V/S STATE OF HARYANA TH COLLECTOR JHJJAR AND ORS
155.	RFA-4133-2016	BHAGWANA S/O MAMRAJ THROUGH LRS AND ORS V/SSTATE OF HARYANA AND ORS
156.	RFA-772-2014	HAWA SINGH & ORS V/S STATE OF HARYANA & ORS
157.	RFA-773-2014	HAWA SINGH & ORS V/S STATE OF HARYANA & ORS
158.	RFA-581-2014	PARAS RAM & ORS V/S STATE OF HARYANA & ORS
159.	RFA-7822-2013	RAJ SINGH & ORS V/S STATE OF HARYANA & ORS
160.	RFA-7821-2013	BHARPUR SINGH & ORS V/S STATE OF HARYANA & ORS
161.	RFA-7823-2013	NEDAL & ORS V/S STATE OF HARYANA & ORS
162.	RFA-7820-2013	SUDHAN SINGH & ORS V/S STATE OF HARYANA & ORS
163.	RFA-7237-2013	ANOOP SINGH & ORS V/S STATE OF HARYANA & ORS
164.	RFA-4700-2015	NORATAN AND ANR V/S STATE OF HARYANA AND ORS

165.	RFA-4364-2018	MUNSHI RAM DECEASED THROUGH LRS V/S STATE OF HARYANA AND ORS.
166.	RFA-4503-2018	MUNSHI RAM DECEASED THROUGH LRS V/S STATE OF HARYANA AND ORS.
167.	RFA-4513-2018	INDRAWATI DECEASED THR LRS V/S STATE OF HARYANA AND ORS.
168.	RFA-4514-2018	MUNSHI RAM DECEASED THRU LRS V/S STATE OF HARYANA AND ORS.
169.	RFA-484-2019	MEGH RAM AND OTHERS V/S STATE OF HARYANA AND OTHERS
170.	RFA-363-2019	RAJACHAND DECEASED THROUGH L.RS V/S STATE OF HARYANA AND OTHERS
171...	RFA-4502-2018	JEET RAM AND ORS. V/S STATE OF HARYANA AND ORS.
172.	RFA-4362-2018	MUNSHI RAM DECEASED THROUGH LRS V/S STATE OF HARYANA AND ORS.
173.	RFA-4368-2018	RAJBIR V/S STATE OF HARYANA AND ORS.
174.	RFA-4515-2018	INDRAWATI DECEASED THR LRS V/S STATE OF HARYANA AND ORS.
175.	RFA-4363-2018	MUNSHI RAM DECEASED THROUGH LRS V/S STATE OF HARYANA AND ORS.
176.	RFA-4365-2018	MUNSHI RAM DECEASED THRU LRS V/S STATE OF HARYANA AND ORS.
177.	RFA-4518-2018	SHER SINGH AND ORS. V/S STATE OF HARYANA AND ORS.
178.	RFA-6142-2014	BHARAT SINGH AND ORS V/S STATE OF HARYANA AND ORS
179.	RFA-3741-2014	GUGAN & ORS V/S STATE OF HARYANA & ORS
180.	RFA-3350-2014	KARTAR SINGH AND ORS V/S STATE OF HARYANA AND ORS
181.	RFA-6143-2014	BHARAT SINGH AND ORS V/S STATE OF HARYANA AND ORS
182.	RFA-6340-2014	SHER SINGH AND ORS V/S STATE OF HARYANA AND ORS
183.	RFA-3936-2016	HARDEV TH HIS LEGAL HEIRS AND ORS V/S STATE OF HARYANA AND ORS
184.	RFA-4699-2015	NORATAN AND ANR V/S STATE OF HARYANA AND ORS
185.	RFA-1500-2014	MANSA RAM AND ORS V/S STATE OF HARYANA AND ORS
186.	RFA-4517-2018	RAJ SINGH AND ORS V/S STATE OF HARYANA AND ORS
187.	RFA-6596-2013	MANAGING DIRECTOR JHAJJAR THERMAL POWER LTD V/S JAGBIR AND ORS
188.	RFA-2086-2016	JAGVIR V/S STATE OF HARYANA AND ORS
189.	RFA-3450-2014	MD, JHAJJAR THERMAL POWER PLANT LTD CLP GROUP PVT LTD V/S SATYAWAN AND ORS
190.	RFA-3459-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S HOSHIYAR SINGH AND ORS
191.	RFA-3461-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S KARTAR SINGH & ORS
192.	RFA-3451-2014	MD, JHAJJAR THERMAL POWER PLANT LTD.CLP GROUP PVT LTD V/S MANSA RAM AND ORS
193.	RFA-3453-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S MUNSHI RAM & ORS
194.	RFA-3454-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. CLP GROUP PVT LTD V/S MUNSHI RAM AND ORS
195.	RFA-3458-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S VIJAY PAL AND ORS

196.	RFA-3463-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S HAWA SINGH AND ORS
197.	RFA-3464-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S SATYAWAN AND ORS
198.	RFA-3466-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S BHATERI AND ORS
199.	RFA-3477-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S SAJJAN SINGH & ORS
200.	RFA-3482-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S NORATAN & ORS
201.	RFA-3483-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S DHARAM CHAND @ DHARAMBIR & ORS
202.	RFA-3448-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S GHISA & ORS
203.	RFA-3465-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S BHARAT SINGH & ORS
204.	RFA-3470-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S NEDAL AND ORS
205.	RFA-3471-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S PARAS RAM (DECEASED) THR. LRS. AND ORS
206.	RFA-3474-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S RAJA CHAND & ORS
207.	RFA-3479-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S JEET RAM & ORS
208.	RFA-3480-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S INDER SINGH AND ORS
209.	RFA-3488-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S SUDHAN SINGH & ORS
210.	RFA-3489-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S NORATAN AND ORS
211.	RFA-3468-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S RAM KISHAN & ORS
212.	RFA-3472-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S HAWA SINGH & ORS
213.	RFA-3475-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S MANSA RAM AND ORS
214.	RFA-3484-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S RAJBIR AND ORS
215.	RFA-3485-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S RAJ SINGH AND ORS
216.	RFA-3486-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S CHANDRO & ORS
217.	RFA-3487-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S BHARPUR SINGH & ORS
218.	RFA-3449-2014	MD, JHAJJAR THERMAL POWER PLANT LTD CLP GROUP PVT LTD V/S MEGH RAM AND ORS
219.	RFA-3457-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S CHET RAM AND ORS
220.	RFA-3469-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S SULTAN AND ORS
221.	RFA-3473-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S MUNSHI RAM & ORS
222.	RFA-3476-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S PARAS RAM (DECEASED) THR. LRS. AND ORS
223.	RFA-3478-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S SAT NARAYAN (DECEASED) THR. LRS. AND ORS
224.	RFA-3481-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S DHARAM CHAND & ORS

225.	RFA-3462-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. AND V/S MUNSHI RAM AND ORS
226.	RFA-3467-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S BHARAT SINGH & ORS
227.	RFA-3460-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. V/S MUNISH RAM AND ORS
228.	RFA-3456-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S SATYAWAN & ORS
229.	RFA-3452-2014	MD, JHAJJAR THERMAL POWER PLANT LTD. AND ORS V/S JAGBIR AND ORS
230.	RFA-3455-2014	MANAGING DIRECTOR, JHAJJAR THERMAL POWER PLANT LTD V/S VIJAY PAL & ORS

21.03.2022
rekha

(ANIL KSHETARPAL)
JUDGE