



**RFA-3347-2003(O&M)
and other connected cases**

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

**RFA-3347-2003(O&M)
and other connected cases
Date of decision: 24.02.2025**

State of Haryana and others

..Appellants

Versus

Rajender and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vibha Tewari, AAG, Haryana

Mr. B.K.Bagri, Advocate for the landowners

Mr. Sunil Panwar, Advocate for the landowners
in RFA-3536 to 3543 and 4562 of 2003

Mr. J.P.Jangu, Advocate for the landowners
in RFA-3374 of 2003

ANIL KSHETARPAL, J. (Oral)

1. With the consent of the learned counsel representing the parties, a batch of 66 connected appeals and two cross objections (details whereof are at the foot of the judgment) shall stand disposed of by this common order.

2. These cross appeals and cross objections have been filed to assail the correctness of the market value assessed by the Reference Court (hereinafter referred to as 'RC') on applications filed under Section 18 of the Land Acquisition Act, 1894 (hereinafter referred to as '1894 Act') vide judgment dated 13.05.2003.



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3. The notification under Section 4 of 'the 1894 Act' was issued on 13.01.1998 proposing to acquire 16 kanals 3 marlas land for construction of Kishanpur Minor (drain) in village Pranpura, District Rewari. The Land Acquisition Collector assessed the market value of the acquired land in the following manner:-

- i) Chahi land - Rs.2,50,000/- per acre
- ii) Gair Mumkin - Rs.2,75,000/- per acre

4. The RC has assessed the market value at the rate of Rs.6,00,000/- per acre while relying upon the market value assessed for similarly located land vide Ex.P4 and P5.

5. The landowners and the State of Haryana have produced various exemplar sale deeds which are post 13.01.1998. Hence, no sale deed of contemporaneous period with respect to the acquisition has been produced by the parties.

6. At some distance, State has acquired land for construction of another drain namely Kheri Mohala Drain.

7. Learned counsel representing the landowners submits that the RC has failed to grant compensation for severance of land in two or more parts. He submits that on account of acquisition of narrow strip of land, the remaining land of the landowners has been divided into two or more parts.

8. Per contra, the learned State counsel has submitted that even after the acquisition, the price of the land in village Pranpura was in the range of 1,37,000/- per acre whereas the RC has awarded Rs.6,00,000/-. She submits that the RC has erred in relying upon awards EX.P-4 and P5 which



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is with respect to a parcel of land located at a sufficient distance from the acquired land.

9. This Court has considered the submissions made by the learned counsel representing the parties.

10. It is the admitted position that the landowners have already been paid the market value at the rate of Rs.6,00,000/- per acre, though on furnishing surety. These appeals are pending for the last 22 years. The acquisition started in the year 1998. It is evident that vide awards Ex.P4 and P5 the RC assessed the market value of the acquired land in the area at the rate of Rs.6,00,000/- per acre. The RC has found the aforesaid parcels of land comparable with the acquired land. In the absence of sale instance of contemporaneous period, this Court does not find it appropriate to interfere with the assessment made by the RC. For awarding damages on account of severance of un-acquired land available with the landowners in two or more portions, the landowners are required to lead some evidence to prove that fact. The RC cannot presume damages only on account of acquisition of land in narrow strip. The landowners should have led some evidence to prove damages on account of division of their parcels of land into two or more parts due to acquisition. In the absence of material evidence thereof, the RC did not find it appropriate to use the thumb rule. Moreover, the landowners have already been compensated at the rate of Rs.6,00,000/- per acre, though the sale deed Ex.R-7 and R-8 reflect prices in the range of Rs.1,40,000/- per acre.

11. Keeping in view the aforesaid facts, all the appeals shall stand disposed of.



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

(ANIL KSHETARPAL)
JUDGE

24.02.2025

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

S. No.	Case No.	Case Title
1	RFA-248-2004	Karan Singh and others v/s State of Haryana and others
2	RFA-2012-2004	Thawar Singh and others v/s State of Haryana and others
3	RFA-2013-2004	Rajender Parsad and others v/s State of Haryana and others
4	RFA-2015-2004	Ram Singh and others v/s State of Haryana and others
5	RFA-2016-2004	Jag Ram and others v/s State of Haryana and others
6	RFA-2018-2004	Raj Kumar v/s State of Haryana and others
7	RFA-2019-2004	Ram Kanwar and others v/s State of Haryana and others
8	RFA-2032-2004	Matadeen and others v/s State of Haryana and another
9	RFA-2033-2004	Rati Ram and others v/s State of Haryana and another
10	RFA-2034-2004	Dhan Kaur and others v/s State of Haryana and another
11	RFA-2141-2004	Chandgi Ram and others v/s State of Haryana and others
12	RFA-2142-2004	Jagram and others v/s State of Haryana and another
13	RFA-2265-2004	Puran Singh and others v/s State of Haryana and another
14	RFA-2266-2004	Subh Ram and others v/s State of Haryana and another
15	RFA-2351-2004	Vijay Kumar and others v/s State of Haryana and another
16	RFA-2638-2007	Gajraj and others v/s State of Haryana and others



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17	RFA-2639-2007	Deep Chand v/s State of Haryana and others
18	RFA-3348-2003	State of Haryana and others v/s Rajender Parshad and others
19	RFA-3349-2003	State of Haryana and another v/s Subh Ram and others
20	RFA-3350-2003	State of Haryana and another v/s Puran Singh and others
21	RFA-3351-2003	State of Haryana and others v/s Smt. Ganga Valda (through his LRs) and others
22	RFA-3352-2003	State of Haryana and others v/s Thawar Singh and others
23	RFA-3353-2003	State of Haryana and others v/s Ram Singh and others
24	RFA-3354-2003	State of Haryana and others v/s Smt. Lodhi and others
25	RFA-3355-2003	State of Haryana and another v/s Vijay Kumar and others
26	RFA-3356-2003	State of Haryana and others v/s Ram Singh and others
27	RFA-3357-2003	State of Haryana and others v/s Bharat Singh and others
28	RFA-3358-2003	State of Haryana and another v/s Smt. Santra and others
29	RFA-3359-2003	State of Haryana and another v/s Mata Deen and others
30	RFA-3360-2003	State of Haryana and others v/s Sumer Singh
31	RFA-3361-2003	State of Haryana and others v/s Hari Ram and others
32	RFA-3362-2003	State of Haryana and others v/s Roop Chand and others
33	RFA-3363-2003	State of Haryana and others v/s Ran Singh and others
34	RFA-3364-2003	State of Haryana and others v/s Raj Kumar and others
35	RFA-3365-2003	State of Haryana and others v/s Ram Kanwar and others
36	RFA-3366-2003	State of Haryana and others v/s Gaj Raj and others
37	RFA-3367-2003	State of Haryana and others v/s Shri Ram



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		and others
38	RFA-3368-2003	State of Haryana and another v/s Surat Singh and others
39	RFA-3369-2003	State of Haryana and another v/s Ratti Ram and others
40	RFA-3370-2003	State of Haryana and others v/s Karan Singh and others
41	RFA-3371-2003	State of Haryana and others v/s Ran Singh and others
42	RFA-3372-2003	State of Haryana and others v/s Ranjit Singh and another
43	RFA-3373-2003	State of Haryana and others v/s Chet Ram and others
44	RFA-3374-2003	State of Haryana and others v/s Ved Parkash and others
45	RFA-3375-2003	State of Haryana and others v/s Mange Ram
46	RFA-3376-2003	State of Haryana and others v/s Mangal Ram (through his LRs) and others
47	RFA-3377-2003	State of Haryana and others v/s Jag Ram and others
48	RFA-3378-2003	State of Haryana and others v/s Dalip Singh and others
49	RFA-3379-2003	State of Haryana and others v/s Subhram and others
50	RFA-3380-2003	State of Haryana and others v/s Udmi
51	RFA-3381-2003	State of Haryana and others v/s Parbhathi and others
52	RFA-3382-2003	State of Haryana and others v/s Sheo Lal and others
53	RFA-3383-2003	State of Haryana and others v/s Deep Chand
54	RFA-3384-2003	State of Haryana and others v/s Tej Pal and others
55	RFA-3536-2003	Smt. Lodhi and others v/s State of Haryana and others
56	RFA-3537-2003	Udmi v/s State of Haryana and others
57	RFA-3538-2003	Ran Singh and others v/s State of Haryana and others
58	RFA-3539-2003	Ram Singh and others v/s State of Haryana and others



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59	RFA-3540-2003	Bharat Singh and others v/s State of Haryana and others
60	RFA-3541-2003	Ran Singh and others v/s State of Haryana and others
61	RFA-3542-2003	Dalip Singh and others v/s State of Haryana and others
62	RFA-3543-2003	Roop Chand and others v/s State of Haryana and others
63	RFA-3888-2007	Tej Pal @ Tej Ram and others v/s State of Haryana and others
64	RFA-4510-2003	Ved Parkash v/s State of Haryana and others
65	RFA-4562-2003	Parbhathi and others v/s State of Haryana and others
66	X-Objection No.156-CI-2004 in RFA-3370-2003	State of Haryana and others v/s Karan Singh and others
67	X-Objection No.155-CI-2004 in RFA-3372-2003	State of Haryana and others v/s Ranjit Singh and another

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(ANIL KSHETARPAL)
JUDGE