

2025:PHHC:118637



RFA No.1535 of 1994 (O&M)

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

161

RFA No.1535 of 1994 (O&M)

Date of Decision:02.09.2025

STATE OF PUNJAB

.....Appellant

Vs

SURJAN SINGH

....Respondent

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Athar Ahmed, DAG, Punjab
for the appellant.

Mr. Naresh Kaushal, Advocate and
Mr. Raj Kumar Rathore, Advocate for the respondent.

HARKESH MANUJA, J. (Oral)

[1]. Present appeal arises out of an Award dated 08.06.1992 passed by the learned Additional District Judge, Ropar (hereinafter to be referred as 'the Reference Court'), whereby 25% of the market value of the land as awarded by the Land Acquisition Collector (for short 'the LAC') subject to maximum of 05 acres for the land left across the railway line towards damages has been enhanced as under:-

- "i. The applicant would be entitled to claim compensation for severance at 50% of the value of land upto one acre left on each side.*
- ii. The applicant shall be entitled to compensation at the rate of 45% of the value of the land above one acre and upto 3 acres on each side.*
- iii. He shall be entitled to claim compensation at the rate of 40% of the value of land above three acres and upto 5 acres on each side. No compensation for severance shall be paid beyond 5 acres on each side of the unacquired land."*



RFA No.1535 of 1994 (O&M)

[2]. Learned State counsel submits that the damages caused against severance were enhanced without any basis and, thus the Award passed by the learned Reference Court was liable to be modified thereby restoring the damages as awarded by the Land Acquisition Collector.

[3]. On the other hand, learned counsel appearing on behalf of respondent/landowner submits that the respondent/landowner having suffered on account of bifurcation of land against acquisition for the purposes of construction of railway line was to be awarded more compensation towards damages against severance and, thus the Award passed by the learned Reference Court calls for no interference.

[4]. I have heard learned counsel for the parties and gone through the paper book.

[5]. In view of the fact that after acquisition of 06 Kanals 19 Marlas of land owned by the respondent/landowner, the remaining land has been divided into different portions; 31 Kanals of land remained towards the village side whereas 08 Kanals 08 Marlas of land has been left across the railway line thereby causing great difficulty for the landowners towards its cultivation, besides taking of their cattles to that part of land along with severance etc. Upon appreciation of evidence led by the respondent/landowner, the learned Reference Court has even went on to record that the severance has resulted in increase in labour and costs towards cultivation. It has also been recorded that the respondent/landowner shall also be suffering on account of trees being grown on the sides of railway line thereby causing damage to the land of respondent.

[6]. In view of the above, no illegality or perversity can be found with the Award passed by the learned Reference Court. The instant appeal stands dismissed.

[7]. Pending application(s), if any shall also stand disposed of.

September 02, 2025
Atik

(HARKESH MANUJA)
JUDGE

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