

RFA No.1997 of 1997 (O&M)

2025:PHHC:164218



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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RFA No.1997 of 1997 (O&M)

Date of Decision: 26.11.2025

PUNJAB STATE THROUGH THE COLLECTOR AND ORS.

.....Appellants

Vs

SHER SINGH AND ORS.

...Respondent(s)

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

Present: Mr. Athar Ahmed, DAG, Punjab.

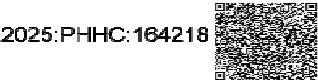
Mr. R.S. Manhas, Advocate
for the respondents/landowners.

HARKESH MANUJA, J. (Oral)

[1]. By way of present appeal, challenge has been laid to the Award dated 13.02.1997 passed by the learned Addl. District Judge, Gurdaspur (hereinafter to be referred as the 'Reference Court'), whereby Reference Petition filed under Section 18 of the Land Acquisition Act, 1894 (for short 'the 1894 Act') at the instance of the landowners was partly allowed while granting them the benefit of enhanced compensation of 56% over and above the amount of compensation awarded by the Land Acquisition Collector towards fruit trees besides award of statutory benefits/interest as provided under the 1894 Act.

[2]. Briefly stating, certain land owned by the respondents-landowners situated in Village Phangota, Tehsil Pathankot, District Gurdaspur (now Pathankot) was acquired vide notification dated 30.01.1992 issued under Section 4 of Land Acquisition Act, 1894 (hereinafter referred to as 'the 1894 Act') followed by

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passing of Award dated 05.04.1995 by the Land Acquisition Collector in exercise of its power under Section 11 of the 1894 Act.

[3]. Both the parties are factually *ad idem* that the matter relating to the determination of market value as regards the same acquisition proceedings already stands determined by this Court vide decision dated 02.11.2018 passed by this Court in RFA No.1006 of 2010 titled ‘State of Punjab and others Vs. Usha Rani (II)’. The relevant portion thereof is extracted hereunder:-

“(v) For notifications dated 06.01.1992/30.01.1992, landowners’ appeal/cross-objections are allowed and the State appeals are dismissed and the amount per acre is assessed as under:-

(a) All kinds of Barani land: Rs.90,462/-

(b) Banjar Qadim/Jadid : Rs.44,000/-

(c) Gair Mumkin Abadi: Rs.1,60,000/-

(d) Chahi : Rs.1,00,000/-”

[4]. In view of aforesaid, the present appeal preferred at the instance of the appellant is hereby dismissed. It may be noticed here that enhancement in favour of the landowners shall be dealt in their separate RFA No.2923 of 1999 which is pending consideration before this Court.

[5]. Pending applications, if any, also stand disposed of.

November 26, 2025	(HARKESH MANUJA)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No