

2025:PHHC:162813



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

RFA-207-1996 (O&M)
Decided on:-20.11.2025

Bhajan Singh (since deceased) thr. his LRs ...Appellant.

vs.

The State of Punjab and another ...Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Munish Gupta, Advocate for the appellant.

Mr. Gunjan Mehta, Addl. A.G., Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present appeal, challenge has been laid to an award dated 14.09.1991 passed by the learned District Judge, Rupnagar (for short, **“Reference Court”**), whereby, reference petition preferred at the instance of appellant-landowner invoking Section 18 of the Land Acquisition Act, 1894 (for brevity, **“1894 Act”**), was partly accepted.

2. Brief facts of the case are that some land owned by the appellant-landowner, situated in the revenue estate of Village Balsandha, District Ropar was acquired vide notifications dated 13.09.1985 & 18.09.1985, under Sections 4 & 6 respectively of the Land Acquisition Act, 1894 (for short, **“1894 Act”**), for the public purpose, namely, construction of SYL canal. The total land under acquisition was 13.50 Acres. The supplementary award was passed on 03.10.1986, whereby, the compensation

in relation to fruit bearing trees was assessed @ Rs.5808/- by the Land Acquisition Collector.

3. Aggrieved of the same, the appellant-landowner invoked separate reference petition(s) under Section 18 of the 1894 Act, seeking enhancement of compensation. Upon consideration of the material available on record, the Reference Court vide its Award dated 14.09.1991, granted the benefit of enhanced compensation at the rate of Rs.1,17,920/- on account of guava trees besides all other statutory benefits.

4. Feeling dissatisfied with the aforesaid Award passed by the Id. Reference Court, the appellant-landowner preferred the present appeal.

5. I have heard learned counsel for the parties and gone through the paper book.

6. A perusal of record shows that the award passed by the learned Reference Court with respect to grant of enhanced compensation towards the value of trees standing over the acquired land has been made/determined on the basis of approved and acknowledged formula laid down by Dr. G.S. Nijjer, Former Director of Horticulture, Punjab along with 100% increased thereupon by applying the formula laid down by Dr. Harbans Singh, Former Director of Horticulture, Himachal Pradesh according to the Division Bench judgment of this Court passed in *“Ranjit Singh vs. The Union Territory, of Chandigarh, 1983 PLR (Pg. 471)*. Moreover, no material has been pointed out to show that there has been any misreading or ignorance of the relevant evidence available on record.

7. In view of the discussion made herein above, there being no misreading or mis-interpretation of evidence available on record by the learned Reference Court, no interference is called for. Resultantly, the

appeal being devoid of any merits is hereby dismissed.

9. Pending application(s), if any shall also stand disposed of.

20.11.2025

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(HARKESH MANUJA)
JUDGE

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