

2025:PHHC:175378



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

**RFA-728-2000 (O&M)
Decided on:-15.12.2025**

Mahesh Chander

...Appellant.

vs.

The Executive Engineer, PWD B & R, Bhiwani
and another

...Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Surinder Gandhi, Advocate for the appellant.

Mr. Abhinash Jain, DAG, Haryana.

HARKESH MANUJA J. (Oral)

1. By way of present appeal, challenge has been laid to an Award dated 30.07.1999 passed by by the Land Acquisition Collector, P.W.D. B& R Branch, Bhiwani (for short, the “LAC”), whereby, reference petition preferred at the instance of appellant under Section 28-A of the Land Acquisition Act, 1894 (for brevity, “1894 Act”), was partly allowed.

2. In the present case, the total land measuring 22.9 acres, including 68 sq. yds land owned by the appellant, situated in the revenue estate of Village Bhiwani Jonpal, District Bhiwani came to be acquired vide notifications dated 21.08.1974 and 12.11.1974 issued under Sections 4 & 6 of the 1894 Act respectively, for the public purpose i.e. for the construction/laying of Railway yard for Broad Gauge Rail Link between

Rohtak and Bhiwani. Award under Section 11 of the 1894 Act by the LAC was announced on 10.07.1975, while assessing the market value @ Rs.28,000/- per acre. Though, the appellant did not assail the award dated 10.07.1975, however, certain other land owners pertaining to the same acquisition sought enhancement of compensation having preferred reference under Section 18 of the 1894 Act, which was disposed of vide decision dated 22.02.1999, whereby, the market value was re-assessed @ Rs.13.50 paise per sq. yard (i.e. Rs.65,340/- per acre) along with other statutory benefits.

3. Based on the aforesaid award dated 22.02.1999, the appellant sought reference under Section 28-A of the 1894 Act, which was disposed of by the LAC, Bhiwani vide decision dated 30.07.1999 granting similar benefits to the appellant. Challenging the same, present appeal has been preferred.

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

5. Without going into the issue of maintainability of the present appeal, a perusal of record shows that the appellant-landowner having sought reference under Section 28-A of the 1894 Act, placed reliance upon the previous determination made by the learned Reference Court in LA Case No.43 of 08.05.1996 decided on 22.02.1999. Vide impugned order, the appellant-landowner has already been granted the benefit of same market value along with interest and other statutory benefits in terms of decision dated 22.02.1994 in LAC No.43 of 08.05.1996 and thus, the same calls for no interference, especially when the decision dated 22.02.1999 in LA Case No.43 of 08.05.1996 was neither assailed nor altered in any later proceedings/appeal.

6. 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.

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

15.12.2025

sonika

(HARKESH MANUJA)
JUDGE

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