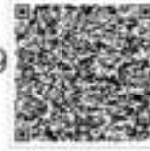


2025:PHHC:172889



110(21 cases) **IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

RFA-1682-1999 (O&M)
Decided on:-10.12.2025

State of Haryana

....Appellant..

vs.

Seo Ram and another

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Abhinash Jain, DAG, Haryana.

Mr. Som Nath Saini, Advocate
for the respondent(s)-landowner(s).

HARKESH MANUJA J. (Oral)

1. Vide this common judgment, batch of total 21 connected Regular First Appeals are being decided as all have arisen out of the same award. The details of the connected cases are given at the foot of the judgment.

1.2 For convenience, the facts are being taken from RFA-1682-1999 (O&M).

2. By way of present appeal, challenge has been laid to an Award dated 17.11.1998 passed by the learned Additional District Judge, Ambala (for short, "the Reference Court"), whereby, reference petition(s) preferred at the instance of respondent(s)-landowner(s) invoking Section 18 of the Land Acquisition Act, 1894 (for brevity, "1894 Act"), were partly accepted.

3. Brief facts of the case are that some land owned by the

respondent(s)-landowner(s), situated in the revenue estate of Village Rajouli, Hadbast No.288, Tehsil Naraingarh, District Ambala, was acquired vide notification dated 02.05.1986 (published on 17.06.1986), under Section 4 of the 1894 Act and the notification dated 03.03.1987 (published on 06.03.1987), issued under Section 6 thereof, for the public purpose, namely, construction of link road Panjeton to Rajouli. The Land Acquisition Collector vide its Award dated 30.03.1987, assessed the market value of the acquired land @ Rs.10,800/- for *chahi* land and Rs.1800/- for *gairmumkin* land with all statutory benefits.

4. Aggrieved of the same, the respondent(s)-landowner(s) 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 learned Reference Court vide its Award dated 17.11.1998, enhanced the market value of the acquired land to Rs.50,000/- per acre alongwith all other statutory benefits under the 1894 Act.

5. Feeling dissatisfied with the aforesaid award passed by the Reference Court, the appellant-State of Haryana preferred appeals, details whereof are mentioned in the foot of the judgment.

6. Impugning the aforementioned award, learned counsel for the appellant-State submits that the Reference Court went wrong having enhanced the market value of the acquired land to Rs.50,000/- per acre in favour of the land-owners while relying upon document Ex.P-4. He points out that the document Ex.P-4 is merely a mutation and not a sale deed though, it reflects alienation with respect to 4 kanals 4 marlas of land situated within the revenue estate of Village Rajouli, vide sale deed dated

26.06.1986 for a sum of Rs.48,000/-. He submits that no reliance could have been placed upon the mutation entry for the purpose of awarding enhancement in favour of the respondent(s)-landowner(s), thus, the impugned award was liable to be set aside.

7. On the other hand, learned counsel appearing on behalf of the respondent(s)-landowner(s) submits that the impugned award passed by the learned Reference Court was based on proper appreciation of pleadings and evidence available on record and thus, no interference was called for and the present appeals preferred at the instance of appellant-State were liable to be dismissed.

8. I have heard learned counsel for the parties and gone through the paper book. I am unable to find substance in the submissions made on behalf of the appellant-State.

9. In the present case, vide notification dated 02.05.1986 (published on 17.06.1986) issued under Section 4 of the 1894 Act, 3.68 acres of land was sought to be acquired for the public purpose namely, construction of link road Panjeton to Rajouli. Being dissatisfied with the award passed by the Land Acquisition Collector, the landowners preferred reference petition(s) under Section 18 of the 1894 Act, whereby, the market value was enhanced to Rs.50,000/- per acre.

10. A perusal of record shows that sale deeds produced by the appellant as well as the respondents pertained to the period subsequent to issuance of notification under Section 4 of the 1894 Act in the present case. The only relevant piece of evidence is a mutation entry No.1214 dated 14.09.1987 (Ex.PX) which records alienation of 4 kanal 4 marlas of land

forming part of the revenue estate of Village Rajouli through sale deed dated 26.06.1986 for a sum of Rs.48,000/- for which the base price per acre is Rs.90,000/-. Though *stricto sensu* for the purpose of determination of market value, it may not be feasible to rely upon the mutation entry, however, in the absence of there being any evidence brought on record by the appellant-State to counter or doubt the contents made in the said mutation, the learned Reference Court reasonably and rightly drew inference from the said document in favour of the respondents-landowners for the purpose of determination of market value of the acquired land situated in the same revenue estate of Village Rajouli. In fact, the learned Reference Court adopted the most equitable and justifiable approach while assessing market value to be merely @ Rs.50,000/- per acre though the base price per acre as per the mutation entry Ex.PX apparently was Rs.90,000/-.

11. In such circumstances, no interference is called for with the impugned award passed by the learned Reference Court. Resultantly, the appeals preferred at the instance of appellant-State being devoid of merit are thus, dismissed.

11.1 Further, in case of unfortunate demise of any of the respondents-landowners, if the legal heir(s)-legal representative(s) have not been brought on record, they shall be entitled for filing exemption applications in their own names being legal heirs or legal representatives of the deceased-landowners; subject of course to any testamentary document created by the deceased.

11.2 Furthermore, since all the landowners have not appeared before this Court, the concerned Land Acquisition Officer with the help of Circle

Patwari is directed to make sure that the present decision is brought to the notice of the landowners and their family members for the execution purposes.

12. Pending application, if any, also stands disposed of.

10.12.2025
sonika

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/ No

(HARKESH MANUJA)
JUDGE

Sr. No.	Case No.
1.	RFA-1682-1999 (O&M)
2	RFA-1683-1999 (O&M)
3	RFA-1684-1999 (O&M)
4	RFA-1685-1999 (O&M)
5	RFA-1686-1999 (O&M)
6	RFA-1687-1999 (O&M)
7	RFA-1688-1999 (O&M)
8	RFA-1689-1999 (O&M)
9	RFA-1690-1999 (O&M)
10	RFA-1691-1999 (O&M)
11	RFA-1692-1999 (O&M)
12	RFA-1696-1999 (O&M)
13	RFA-3080-1999 (O&M)
14	RFA-3081-1999 (O&M)
15	RFA-3082-1999 (O&M)
16	RFA-3083-1999 (O&M)
17	RFA-3084-1999 (O&M)
18	RFA-3085-1999 (O&M)
19	RFA-3086-1999 (O&M)
20	RFA-3087-1999 (O&M)
21	RFA-3661-1999 (O&M)

10.12.2025
sonika

(HARKESH MANUJA)
JUDGE