

2025:PHHC:152174



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

Decided on:-04.11.2025

1. RFA-967-2000 (O&M)

Mehar Singh (since deceased) thr. his LRs. and anr.Appellants.

VS.

State of Haryana and anotherRespondents.

2. RFA-968-2000

Mehar Singh (since deceased) thr. his LRs. and ors.Appellants.

VS.

State of HaryanaRespondent.

3. RFA-969-2000

Ghanshyam Singh (since deceased) thr. his LRs. and anr.Appellants.

VS.

State of HaryanaRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Deepak Saini, Advocate with
Ms. Vamika Johar, Advocate for the appellants.

Mr. Abhinash Jain, DAG, Haryana.

Mr. Jagdish Manchanda, Senior Advocate with
Mr. Nischal Chetanya Manchanda, Advocate for HVPNL.

HARKESH MANUJA J. (Oral)

1. Vide this common judgment, the aforementioned three Regular
First Appeals are being decided as all have arisen out of the same award.

1.2 For convenience, the facts are being taken from RFA-967-2000
(O&M).

2. By way of present appeals, challenge has been laid to an award dated 17.01.2000 passed by the Id. Reference Court-cum-Additional District Judge, Ambala, whereby, the appellants-landowners were held entitled for award of market value @ Rs.1,45,000/- per acre against the acquired land besides award of other statutory benefits.

2. Brief facts of the case are that some land owned by the appellants-landowners, situated in the revenue estate of Village Mullana, Tehsil Barara, District Ambala was sought to be acquired vide notification dated 07.01.1994 published on 10.01.1994, under Section 4 of the Land Acquisition Act, 1894 (for short, "**1894 Act**") and the notification dated 08.08.1994 published on 09.08.1994, issued under Section 6 thereof, for the public purpose, namely, construction of 66 K.V.Sub Station, Mullana of the Haryana State Electricity Board. The total land under acquisition was 25 kanals 10 marlas. The award was passed on 05.02.1996, whereby, the market value was assessed @ Rs.1,00,000/- per acre by the Land Acquisition Collector.

3. Aggrieved of the same, the appellants-landowners 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 17.01.2000, awarded the enhanced compensation at the rate of Rs.1,45,000/- per acre besides grant of all other statutory benefits.

4. Feeling dissatisfied with the aforesaid Award passed by the Id. Reference Court, the appellants-landowners preferred the aforementioned appeals.

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

6. The sole contention raised on behalf of the learned counsel for the appellant(s)-landowner(s) pertains to consideration of the sale deed dated 15.03.1991, vide which, 3 kanals 2 marlas of land situated within the revenue estate of village Mullana was sold for a sum of Rs.80,000/- for the purpose of determination of market value which was wrongly discarded by the Id. Reference Court. Consequently, it was submitted that the market value, per acre was Rs.1,80,000/-. He also contended that though the document was taken on record as Mark-B, however, the same was not controverted and thus, reliance should have been placed upon the same by the Id. Reference Court.

7. The aforementioned contention in the humble opinion of this Court, is devoid of merit. A perusal of record shows that merely a photocopy of sale deed dated 15.03.1991 was produced on record and thus, the same was rightly discarded by the Id. Reference Court for the purpose of determination of market value of the acquired land being inadmissible in evidence.

8. In view of the discussion made herein above, there being no misreading or mis-interpretation of evidence available on record by the Id. Reference Court, no interference is called for. Resultantly, the appeals being devoid of any merits are hereby dismissed.

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

04.11.2025
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/ No