

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RFA No.1553 of 2004 (O&M)
and other connected cases
Date of Order:16.05.2025

Guranditta Singh and others
Versus
Punjab State and others

.Appellant

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the appellant(s).
Mr. Rahul Rampal, Addl.A.G., Punjab.

ANIL KSHETARPAL, JUDGE (Oral)

1. With the consent of the learned counsel representing the State of Punjab, a batch of 27 appeals, details whereof are given on the foot of the judgment, shall stand disposed of by this order.
2. As many as 15 appeals have been filed by the State, whereas 12 appeals have been filed by the landowners to challenge the market value assessed by the Reference Court (hereinafter referred to as 'the RC'). The relevant and necessary details of the acquisition are as under:-

Sr.No.	Particulars	Relevant Date
1.	Notification under Section 4 of the Land Acquisition Act, 1894 was published proposing to acquire land for establishing Dhimanwali Link Drain.	01.12.1999
2.	Declaration under Section 6 of the Land Acquisition Act, 1894 was published.	24.12.1999
3.	The Land Acquisition Collector while announcing the award offered to pay Rs.2,00,000/- per acre to the landowners for Nehri/Chahi quality of land, whereas with respect to Barani land, the landowners were held entitled to Rs.1,00,000/- per acre.	07.11.2001



3. By a common notification, the land from the following villages was acquired:-

Chak Shama	3.76 Acre
Phide Kalan	8.61 Acre
Phide Khurd	2.30 acre
Chak Dhiman Wali	1.65 acre

4. On a reference filed by the landowners, the RC assessed the market value of the acquired land at the rate of Rs.3,00,000/- per acre while relying upon the awards Ex.A2 and Ex.A3.

5. AW1-Sukhjinder Singh appeared on behalf of the landowners, whereas RW1-Bharat Bhushan, SDO appeared on behalf of the State of Punjab.

6. The landowners produced two sale deeds in their evidence, namely, Ex.A4 and Ex.A6. Sale deed Ex.A6 is with respect to the parcel of land located in village Faridkot Urban area, which is 5 Kms. away from the acquired land. Hence, the RC declined to rely upon the same. Similarly, the sale deed Ex.A6 is with respect to plot measuring 10 marlas located in village Chak Kalan, which is a different village.

7. On the other hand, the State relied upon sale deed Ex.R6, with respect to the land measuring 25 kanals and 17 marlas, sold for Rs.4,52,500/- at village Phide Kalan.

8. It is evident that the RC has relied upon its two awards Ex.A2 and Ex.A3 to assess the market value of the acquired land. Ex.A2 is with respect to acquisition of land vide notification under Section 4 of the Land Acquisition Act, 1894, dated 18.08.1998, acquiring land from village



Machaki Kalan, whereas Ex.A3 is with respect to acquisition of land vide notification dated 22.07.1999, in village Warring. In both these cases, the RC assessed the market value of the acquired land in the area at the rate of Rs.3,00,000/- per acre. Though, the learned State counsel has submitted that Ex.R6, should have been relied upon, however, the RC did not rely upon the same.

9. On a court question, the learned counsel representing the State of Punjab, has admitted that compensation payable to the landowners has already been paid. He further submitted that village Machaki Kalan and Warring are located at the main road, whereas the acquired land is with respect to parcel of land located at a distance from the main road.

10. As already noticed, the payment has already been made to the landowners. The market value has been assessed only at the rate of Rs.3,00,000/- per acre. Hence, this court does not find it appropriate to interfere in the award passed by the RC.

11. Hence, all the appeals are dismissed.

12. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

May 16, 2025

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