



150-2

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Civil Writ Petition No. 10928 of 2023 (O&M)
Date of Decision: 17.09.2025**

Haryana Shehri Vikas Pradhikaran, Gurugram

..... Petitioner

Versus

Land Acquisition Collector, Urban Estates,
Haryana, Sector-14, Gurugram and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Shivendra Swaroop, Advocate and
Mr. Siddhanth Arora, Advocate for
Mr. Ankur Mittal, Advocate
for the petitioner.

HARKESH MANUJA, J. (ORAL)

The petitioner- Haryana Shehri Vikas Pradhikaran, Gurugram, by way of present writ petition, seeks quashing of the Award dated 21.01.2020 (Annexure P-6) passed by respondent No. 1-Land Acquisition Collector, Urban Estates, Gurugram (**for brevity “LAC”**), whereby the application under Section 28-A of the Land Acquisition Act, 1894 (**for short “1894 Act”**) preferred at the instance of respondent No. 2-landowner, was allowed.

[2] Briefly stating, some land owned by respondent No. 2 situated in Village Choma, Tehsil & District Gurugram was acquired vide notification dated 25.06.2008 under Section 4 read with Section 17(1) of the 1894 Act followed by notification dated 18.03.2008 under Section 6 thereof. An award under Section 11 of 1894 Act was announced by the LAC on 23.12.2009 making the assessment of market value @ Rs. 60 lakhs per acre. Being aggrieved thereof, some of the landowners preferred reference under

Section 18 of the 1894 Act and the compensation was enhanced to Rs.1,84,00,000/- per acre by the Reference Court vide order dated 30.07.2013, which was further enhanced to Rs.4,78,05,588/- per acre by this Court vide decision dated 20.05.2016 (Annexure P-3) in RFA No. 4475 of 2012. Finally, the market value was determined @ Rs. 4,06,34,750/- per acre by the Hon'ble Apex Court vide its decision dated 05.09.2017 (Annexure P-4) passed in ***Civil Appeal Nos. 11814-11864 of 2017***, titled ***“State of Haryana & Ors. Versus Ram Chander and Anr.”***.

[2.1] In the meanwhile, based on the market value determined by the Hon'ble Apex Court, in exercise of powers under Section 18 of the Act, an award dated 01.10.2019 was passed by the learned Reference Court, whereby the market value in case of similarly placed landowners was assessed @ Rs. 4,06,34,750/- alongwith statutory benefits.

[2.2] Based thereupon, respondent No. 2 (M/s. Shivanand Real Estate Pvt. Ltd.) filed an application dated 05.11.2019 (Annexure P-5) under Section 28-A of 1894 Act before respondent No. 1-LAC for re-determining the compensation against acquisition of its land. The said reference petition was allowed by respondent No. 1 vide order dated 21.01.2020 (Annexure P-6) while assessing/granting the market value @ Rs. 4,06,34,750/- per acre alongwith other statutory benefits in favour of respondent No.2-landowner.

[3] Dissatisfied with the aforesaid order dated 21.01.2020, the petitioner-HSVP has preferred the present writ petition.

[4] Learned counsel for the petitioner submits that vide decision/award dated 01.10.2019 (Annexure P-2), learned Reference Court disposed off four connected cases out of which in three land reference i.e. LAC Nos. 28/22.05.2014, 36/2015; 60/2015 though the determination of

market value @ Rs. 4,06,34,750/- per acre was made, however, the landowners were directed to get their title adjudicated upon in appropriate proceedings whereas in LAC No. 35/2015 i.e. the case of “***Shyam Kumari Versus State of Haryana and another***”, the award dated 01.10.2019 passed in favour of landowner-Shyam Kumari, had been assailed by the petitioner by way of ***RFA-1209-2022***, titled “***Haryana Shehri Vikas Pradhikaran Gurugram Versus Shyam Kumari and others***”; her reference being barred by limitation. He thus submits that the award dated 21.01.2020 passed by respondent No. 1 in favour of respondent No. 2 herein is liable to be set aside.

[5] Notice of motion.

[6] On asking of the Court, Ms. Komal Sharma, Deputy Advocate General, Haryana, accepts notice on behalf of respondent Nos. 1 & 3, whereas Mr. Sandeep Sharma, Advocate, accepts notice on behalf of respondent No. 2.

[7] Learned counsel for respondent No. 2-landowner submits that vide order of even date passed by this Court in RFA No. 1209 of 2022 (supra), preferred at the instance of petitioner-HSVP, the appeal stands dismissed and thus no merit is left with the contention raised on behalf of the petitioner and as such the present petition is liable to be dismissed.

[8] After hearing learned counsel for the parties and having gone through the paper-book, I find no substance in the submission(s) made on behalf of the petitioner-HSVP.

[9] Though, in the three reference petitions, i.e. LAC Nos. 28/22.05.2014, 36/2015; 60/2015, the landowners were directed by the learned Reference Court to get their title adjudicated upon, however,

undisputedly, the determination of market value *qua* the land forming part of those reference petitions was made by the learned Reference Court.

[10] Be that as it may, challenge laid to the order dated 01.10.2019 in case of LAC No. 35/2015 (supra) at the instance of petitioner herein has been rejected with the dismissal of RFA-1209-2022 (supra).

[11] In such circumstances, no merit can be found in the present writ petition, the same is dismissed and the order dated 21.01.2020 (Annexure P-6) passed by respondent No. 1 in favour of respondent No. 2-landowner upon adjudication of an application preferred in terms of Section 28-A of the 1894 Act while awarding the benefit of market value @ Rs. 4,06,34,750/- per acre is upheld; including other statutory benefits.

[12] Pending miscellaneous application(s), if any, shall also stand disposed off.

September 17, 2025

(HARKESH MANUJA)
JUDGE

'dk kamra'

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No