



RFA No.2901 of 2007 (O&M) with other connected cases

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

119

RFA No.2901 of 2007 (O&M)
with other connected cases
Date of Decision: 15.10.2025

STATE OF HARYANA THROUGH COLLECTOR JINDAppellant(s)

Vs

SMT. BEDO AND OTHERS ...Respondent(s)

Present: Mr. Abhinash Jain, D.A.G., Haryana.
for the appellant(s)/State.

Mr. Ajay Kr. Yadav, Advocate for
Mr. R.N. Lohan, Advocate for the landowners.

HARKESH MANUJA, J. (Oral)

[1]. Vide this common order, a bunch of 24 Regular First Appeals, details of which are given in the footnote of this judgment, are being decided as all the appeals have arisen out of common acquisition/Award involving similar facts and question of law. For the sake of brevity, facts are being taken from RFA No.2901 of 2007.

[2]. By way of present appeal(s), challenge has been laid to the Award dated 14.05.2007 passed by the learned Addl. District Judge (II), Jind (hereinafter to be referred as the 'Reference Court'), whereby Reference Petition(s) filed under Section 18 of the Land Acquisition Act, 1894 (for short 'the 1894 Act') at the instance of landowners was partly allowed in their favour thereby granting them the benefit of enhanced market value @ Rs.3,00,000/- per acre *qua* the acquired land besides awarding statutory benefits/interest as provided under the 1894 Act.

[3]. Briefly stating, in the present case(s), land measuring 34 Kanals 05 Marlas situated within the revenue estate of village Kalwa, Tehsil and District Jind, came to be acquired vide Notifications dated 22.09.2003 and 13.02.2004 issued

under Sections 4 & 6 of the 1894 Act respectively for the public purpose namely



RFA No.2901 of 2007 (O&M) with other connected cases

for construction of Kalwa Minor, followed by an Award passed by the Land Acquisition Collector (for short 'the LAC') on 11.06.2004 thereby determining the market value of the acquired land @ Rs.1,60,000/- per acre for Nahri and Chahi land.

[4]. Aggrieved thereof, the appellant(s)-landowners invoked Reference under Section 18 of the 1894 Act, which came to be partly accepted in favour of the landowners by the learned Reference Court vide its award dated 14.05.2007, granting them enhanced compensation @ Rs.3,00,000/- per acre besides awarding all other statutory benefits/interest.

Dis-satisfied with the Award passed by the learned Reference Court, the present appeals were preferred at the instance of landowners as well as respondents/State of Haryana.

[5]. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the appellants/landowners.

[6]. Perusal of the records shows that primarily, relying upon its own decision dated 26.02.2007 which was produced on record as Ex.PX in the evidence before the learned Reference Court, relating to Notification dated 30.08.2000/04.09.2000 issued under Section 4 of the 1894 Act whereby the land falling in several villages including that of village Kalwa was acquired for the construction of Kalwa-Kinara Drain and the compensation was assessed @ Rs.3,05,000/- per acre including damages against severance to which the market price was Rs.2,80,000/- per acre.

[7]. Further, perusal of records shows that the decision dated 03.12.2015 passed by this Court in RFA No.2918 of 2006 titled 'Prem and others vs. State of



RFA No.2901 of 2007 (O&M) with other connected cases

Haryana’ pertains to the Notification dated 30.08.2000 issued under Section 4 of the 1894 Act whereby land measuring 161 Kanals 02 marlas situated in various villages including that of Kalwa, Tehsil and District Jind was acquired for the construction of Kalwa-Kinara Drain and the market value of the acquired land as determined by the learned Reference Court was upheld.

[8]. The land under the present acquisition came to be acquired vide Notification dated 22.09.2003 issued under Section 4 of the 1894 Act and in the case of ***Prem and others*** (supra) the land which was acquired vide Notification dated 30.08.2000 issued under Section 4 of the 1894 Act also pertained to the village Kalwa, District Jind. However there has been a time gap of around 03 years and 01 month between the two notifications. As such, the landowners in the instant cases need to be awarded appreciation @ 12% per annum for the period between the previous notification dated 30.08.2000 and the notification in the present case i.e. 22.09.2003 issued under Section 4 of the 1894 Act. Accordingly by applying appreciation @ 12% per annum on the amount of Rs.2,80,000/- determined finally in the previous notification dated 30.08.2000, the market value in the present acquisition comes to Rs.3,97,315/- (approx.) per acre (for 37 months).

[9]. Accordingly, the market value for the land under present acquisition is assessed @ Rs.3,97,315/- per acre. In addition, the landowners are also held entitled for award of all statutory benefits and interest as provided under the provisions of the 1894 Act (amended upto to date). The landowners shall also be entitled for solatium @ 30% besides award of interest thereupon as well. Considering the fact that the acquisition has been done for the public purpose of a Minor, thereby resulting into bifurcation of the land, the appellants-landowners are also held entitled for damage towards severance of land @ 20% of the enhanced

RFA No.2901 of 2007 (O&M) with other connected cases

compensation as awarded by this Court in case of previous acquisition for the similar purpose, vide decision dated 03.12.2015 passed in RFA No.2918 of 2006 in case titled as ‘*Prem and others vs. State of Haryana.*’

[10]. Consequently, in view of the discussion made herein above, the appeals preferred at the instance of appellants-landowners are hereby partly allowed in the aforesaid terms and the appeals filed by the State of Haryana are, thus dismissed.

[11]. Wherever the landowner(s) has/have unfortunately expired in the appeal(s)/cross-objection(s) after filing thereof and the legal heirs have not been impleaded, they shall be at liberty to seek execution of the present decision by moving appropriate application(s) before the learned Executing Court.

[12]. All pending application(s), if any, shall also stand disposed of.

October 15, 2025

Atik

(HARKESH MANUJA)

JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No

Sr. No.	Case Number	Sr.No.	Case Number
1	RFA No.2902 of 2007	13	RFA No.3442 of 2007
2	RFA No.2903 of 2007	14	RFA No.3443 of 2007
3	RFA No.2904 of 2007	15	RFA No.3444 of 2007
4	RFA No.2905 of 2007	16	RFA No.3445 of 2007
5	RFA No.2906 of 2007	17	RFA No.3446 of 2007
6	RFA No.2907 of 2007	18	RFA No.3447 of 2007
7	RFA No.2908 of 2007	19	RFA No.3448 of 2007
8	RFA No.2909 of 2007	20	RFA No.3470 of 2007
9	RFA No.2910 of 2007	21	RFA No.3471 of 2007
10	RFA No.2911 of 2007	22	RFA No.3472 of 2007
11	RFA No.2912 of 2007	23	RFA No.2869 of 2008
12	RFA No.2913 of 2007		