



CWP No.15221 of 2024 (O&M) & CWP No.7011 of 2024 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

157

1. CWP No.15221 of 2024 (O&M)
Date of Decision:08.09.2025

HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE DEVELOPMENT
CORPORATION LTD.Petitioner

Vs

YASHPAL AND OTHERSRespondents

2. CWP No.7011 of 2024 (O&M)

YASHPAL AND OTHERSPetitioners

Vs

THE STATE OF HARYANA AND ORS.Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Pritam Singh Saini, Advocate
for the petitioner in CWP No.15221 of 2024 and
for respondent Nos.3 & 4 in CWP No.7011 of 2024.

Mr. Madan Pal, Advocate with
Mr. Bhim Singh, Advocate
for the petitioners in CWP No.7011 of 2024 and
for private respondent(s)/landowners.

Mr. Abhinash Jain, D.A.G., Haryana.

HARKESH MANUJA, J. (Oral)

[1]. Vide this common order, CWP Nos.15221 and 7011 of 2024 are being decided as both the petitions involve same question of law and facts. For brevity, the facts are being taken from CWP No.15221 of 2024.

[2]. By way of present writ petition, challenge has been laid to the order dated 19.08.2021 (Annexure P-3) passed by the District Revenue Officer-cum-Land Acquisition Collector, Gurugram (hereinafter to be referred as 'the Reference Court), whereby the application filed at the instance of respondents/landowners



CWP No.15221 of 2024 (O&M) & CWP No.7011 of 2024 (O&M)

under Section 28-A of the Land Acquisition Act, 1894 (for short 'the 1894 Act') stands allowed.

[3]. Briefly stating, the land measuring 09 Kanals owned by the respondents/landowners as co-sharers, situated within the revenue estate of village Kasan, Tehsil & District Gurugram came to be acquired vide Notification dated 26.02.2002 issued under Section 4 of the 1894 Act followed by Award No.6 dated 20.05.2004 passed by the Land Acquisition Collector (for short 'the LAC').

[3.1]. Being dis-satisfied of the Award, few other landowners filed Reference Petition under Section 18 of the 1894 Act which was partly accepted by the learned Addl. District Judge, Gurgaon (Lok Adalat) vide its Award dated 14.03.2015 thereby enhancing market value of the acquired land to the tune of Rs.37,47,232/- per acre along with all statutory benefits.

Based thereupon, the private respondents/landowners preferred Reference under Section 28-A of the 1894 Act before the Reference Court on 12.06.2015. While said Reference under Section 28-A of the 1894 Act was pending consideration before the learned Reference Court, this Court vide its decision dated 09.03.2018 passed in RFA No.5434 of 2015 titled '*Chander & others vs. State of Haryana & Others*' re-assessed market value @ Rs.41.40 lacs per acre. Later in Civil Appeal No(s).264-270 of 2019, the Hon'ble Apex Court vide its decision dated 11.01.2019 finally determined the market value of the acquired land @ Rs.39,54,666/- per acre along with all statutory benefits payable to the landowners pertaining to the village Kasan Tehsil and District Gurugram.

[3.2]. Relying upon the final determination made by the Hon'ble Apex Court, the Reference Court vide its decision dated 19.08.2021 disposed of the reference under Section 28-A of the 1894 Act, thereby granting the benefit of



CWP No.15221 of 2024 (O&M) & CWP No.7011 of 2024 (O&M)

market value of the acquired land @ Rs.39,54,666/- per acre in favour of respondents/landowners to the extent of their respective shares besides awarding them the other statutory benefits.

[4]. Impugning the aforesaid Award dated 19.08.2021, learned counsel for the petitioner/HSIIDC submits that the application under Section 28-A of the 1894 Act was preferred at the instance of the respondents/landowners after a gap of 05 years of the Award dated 14.03.2015 passed by the learned Addl. District Judge, Gurgaon (Lok Adalat) thus, the same being barred by limitation, was liable to be dismissed. On the other hand, CWP No.7011 of 2024 has been filed at the instance of private respondents/ landowners with the prayer that the respondent/HSIIDC be directed to release the amount of compensation in terms of Award dated 19.08.2021 passed by the Reference Court in exercise of powers under Section 28-A of the 1894 Act.

[5]. I have heard learned counsel for the parties and perused the paper book.

[6]. From the facts available on record, no case for interference is made out at the instance of petitioner/HSIIDC. The Reference Petition under Section 28-A of the 1894 Act was preferred at the instance of the private respondents/landowners on 12.06.2015 based on the Award dated 14.03.2015 passed by the learned Addl. District Judge, Gurgaon (Lok Adalat) in favour of the other similarly placed landowners on their Reference Petition(s) preferred under Section 18 of the 1894 Act and the same was, thus within the prescribed period of limitation of 03 months.

[7]. On the other hand, once the Award by the learned Reference Court under Section 28-A of the 1894 Act was passed in favour of the private



CWP No.15221 of 2024 (O&M) & CWP No.7011 of 2024 (O&M)

respondents/landowners on 19.08.2021, the period of more than 04 years has passed, the petitioner/HSIIDC is, therefore, directed to ensure its compliance and release the amount of compensation determined therein in favour of the private respondents/landowners, at the earliest.

[8]. At this stage, learned counsel representing the petitioner/HSIIDC submits that the private respondents/landowners may furnish their respective account numbers to the concerned authorities within 01 week from today and in case the needful is done, the petitioner/HSIIDC shall ensure the release of amount of compensation in their favour within four weeks thereafter.

[9]. In such circumstances, both the writ petitions are disposed of. Parties are directed to do the needful in the aforesaid context.

[10]. Pending application(s), if any shall also stand disposed of.

September 08, 2025
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(HARKESH MANUJA)
JUDGE

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