



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RFA No.2698 of 2008 (O&M)
and other connected cases
Date of Order: 18.01.2025

Gurnam Singh

...Appellant

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sanjiv Gupta, Advocate
for the appellant (in RFA No.2698 of 2008)

Mr. J.S.Thind, Advocate
for the appellant(in other connected cases)

Ms. Safia Gupta, Assistant Advocate General, Haryana.

ANIL KSHETARPAL, JUDGE.

1. FACTUAL BACKGROUND

1.1 While praying for modification of the market value assessed in the award passed by the Reference Court (hereinafter referred to as 'the RC') on account of compulsory acquisition of the land, the landowners, who are dissatisfied with the assessment of the market value of the land, have filed these appeals. The learned counsel representing the parties are *ad idem* that this batch of 13 connected Regular First Appeals assailing the common award passed by the RC can conveniently be disposed of by a common judgment. The notification under Section 4, 6 of the Land Acquisition Act, 1894 (hereinafter referred to as 'the 1894 Act') and the award passed by the



Land Acquisition Collector (hereinafter referred to as 'the LAC') as well as the RC are common in these appeals.

1.2 The relevant particulars of this batch of appeals, in brief, are as under:-

Sr. No.	Particulars	Relevant Date									
1.	Preliminary notification under Section 4 of the 1894 Act	29.08.2000									
2.	Area of land	14.14 acres									
3.	Location of land	Villages Khairekan and Meerpur									
4.	Purpose of acquisition	Construction of Ghaggar Sukhchain Link (Drain)									
5.	Declaration under Section 6 of the 1894 Act	23.03.2001									
6.	Number and date of LAC award	Award No.10, dated 18.01.2000									
7.	Amount assessed by the LAC	<table><tr><th>Village</th><th>Nahari (per acre)</th><th>Chahi (Per acre)</th></tr><tr><td>Khairekan</td><td>Rs.1,50,000/-</td><td>Rs.1,25,000/-</td></tr><tr><td>Meerpur</td><td>Rs.1,20,000/-</td><td>Rs.1,00,000/-</td></tr></table>	Village	Nahari (per acre)	Chahi (Per acre)	Khairekan	Rs.1,50,000/-	Rs.1,25,000/-	Meerpur	Rs.1,20,000/-	Rs.1,00,000/-
Village	Nahari (per acre)	Chahi (Per acre)									
Khairekan	Rs.1,50,000/-	Rs.1,25,000/-									
Meerpur	Rs.1,20,000/-	Rs.1,00,000/-									
8.	Date of RC's award	01.08.2007									
9.	Amount assessed by the RC	<table><tr><th>Village</th><th>Nahari (per acre)</th><th>Chahi (Per acre)</th></tr><tr><td>Khairekan</td><td>Rs.2,75,000/-</td><td>Rs.2,25,000/-</td></tr><tr><td>Meerpur</td><td>Rs.2,20,000/-</td><td>Rs.1,90,000/-</td></tr></table>	Village	Nahari (per acre)	Chahi (Per acre)	Khairekan	Rs.2,75,000/-	Rs.2,25,000/-	Meerpur	Rs.2,20,000/-	Rs.1,90,000/-
Village	Nahari (per acre)	Chahi (Per acre)									
Khairekan	Rs.2,75,000/-	Rs.2,25,000/-									
Meerpur	Rs.2,20,000/-	Rs.1,90,000/-									

2. ARGUMENTS ON BEHALF OF THE PARTIES

2.1 The landowners claim that the RC has erred in refusing to rely upon the market value assessed in the judgments Exhibits P/1, P/2 and P/3, respectively.

2.2 Per contra, the learned State counsel has submitted that the market value assessed by the RC is excessive, although, there are no counter appeal(s). She submits that the RC has given cogent reasons for refusing to rely upon the market value of amount assessed in the judgments i.e.



Annexures P/1, P/2 and P/3.

3. ANALYSIS AND DISCUSSION

3.1 It may be noted here that the landowners have not produced any sale instance in their evidence to prove error in assessing the market value of the acquired land on the part of Land Acquisition Collector. In other words, the landowners have failed to produce any copy of the sale deed to prove the market value of the land of the disputed area.

3.2 Ex.P1 is the copy of award dated 05.11.1999. In this case, notification under Section 4 of the 1894 Act was issued on 13.02.1990, for the construction of technical and administrative wings for Air Force adjoining National Highway No.10. The market value of the parcel of land upto the depth of 200 feet was assessed at Rs.6,30,000/- per acre, whereas the remaining land beyond 200 feet at National Highway No.10 was assessed at Rs.3,80,000/-. However, there is no evidence that the aforesaid acquired parcel of land was comparable with the acquired land in the present case.

3.3 Similarly, Ex.P2 is a copy of the judgment passed by the High Court in RFA No.306 of 1996 (*Ved Parkash vs. Central Government of India and others*). The notification under Section 4 of the 1894 Act was issued on 12.06.1999, for construction of technical and administrative wings for Air Force Station. The market value was assessed @ Rs.4,06,320/- per acre. This parcel of land was also near National Highway No.10. No evidence has been produced by the landowners to prove that this parcel of land is comparable with the acquired land.

3.4 Ex.P3 is copy of the judgment dated 10.12.1998, passed by the



High Court in RFA No.2382 of 1987 (*Union of India vs. Dr. Balbir Singh and others*). This parcel of land is also located on National Highway No.10.

3.5 Before relying upon the market value assessed by the Court in other cases, the landowners have to lead cogent evidence to prove that both the parcels of land were identically situated having approximately same market value. As already noticed, the acquisition in the present case is for construction of water channel. The landowners have failed to produce the cogent evidence to prove that the market value of the parcels of land represented by Exhibits P/1, P/2 and P/3 is comparable with acquired land in the present case.

3.6 The learned counsel representing the appellant(s) did not press any other issue.

4. **DECISION**

4.1 Keeping in view the aforesaid facts and discussion, this court finds no merit in the appeals filed.

4.2 Resultantly, all the appeals are dismissed.

4.3 All the miscellaneous applications, if any, are also stand disposed of.

January 18, 2025
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :YES/NO
Whether reportable :YES/NO

Sr. No.	Case No.	Parties details
1.	RFA No.2698 of 2008	Gurnam Singh vs. State of Haryana
2.	RFA No.1296 of 2009	Jagdish Lal and another vs. State of



		Haryana and another
3.	RFA No.2611 of 2009	Amrik Singh and others vs. State of Haryana and another
4.	RFA No.2612 of 2009	Gurdev Singh vs. State of Haryana and another
5.	RFA No.2613 of 2009	Krishana Kumari vs. State of Haryana and another
6.	RFA No.2614 of 2009	Joginder Kaur and others vs. State of Haryana and another
7.	RFA No.2615 of 2009	Krishan Lal and others vs. State of Haryana and another`
8.	RFA No.2616 of 2009	Amrik Singh and others vs. State of Haryana and another
9.	RFA No.2617 of 2009	Mahinder Singh vs. State of Haryana and another
10.	RFA No.2618 of 2009	Balwant Singh and others vs. State of Haryana and another
11.	RFA No.2619 of 2009	Amrik Singh and others vs. State of Haryana and another
12.	RFA No.2661 of 2009	Heera Ram and others vs. State of Haryana and another
13.	RFA No.3920 of 2010	Dalip Chand and others vs. State of Haryana and another

(ANIL KSHETARPAL)
JUDGE