



**RFA-4690-2011(O&M)
and other connected cases**

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

**RFA-4690-2011(O&M)
and other connected cases
Date of decision: 24.02.2025**

Ram Kishan
Versus
Engineer-in-chief Irrigation Haryana and others

..Appellant
..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sunil K Dhanda, Advocate
and Mr. Mohan Singh, Advocate for the appellant

Mr. Abhinash Jain, DAG, Haryana

ANIL KSHETARPAL, J. (Oral)

1. With the consent of the learned counsel representing the parties, a batch of 22 connected appeals (details whereof are at the foot of the judgment) shall stand disposed of by this common order.
2. Notification under Section 4 of the Land Acquisition Act, 1894 was published on 21.03.2000. The market value of the acquired land is to be determined as on 21.03.2000. The relevant details of the acquisition are as under:-

Date of notification under Section 4	21.02.2000 published on 21.03.2000
Date of notification under Section 6	14.07.2000
Area	14.32 acres (later award passed on 13.04 acres)
Village	Ahulana Tehsil Gohana
District	Sonepat
Public Purpose	For construction of Ahulana Minor
LAC award	Award no.4 dated 28.12.2001 area 13.04 acres



**RFA-4690-2011(O&M)
and other connected cases**

Amount awarded by LAC	Rs.85,000/- per acre for all kinds of land
Main Reference Court award	Dated 13.04.2006 main leading case as ‘Ram Kishan versus State of Haryana
Amount awarded vide above awards	Rs.2,50,000/- per acre while relying on Ex.P1 sale deed after giving escalation of 10% for the gape of 2 and half years (para 30)

3. The landowners produced exemplar sale deed Ex.P1 dated 05.08.1997 with respect to the land measuring 14 kanals 16 marlas located in village Ahulana sold at the rate of Rs.2,00,000/- per acre.

4. On the other hand, the State relied upon Reference Court’s (hereinafter referred to as ‘RC’) award passed on 18.11.2004 assessing the market value of the acquired land in village Wazirpura at the rate of Rs.1,30,000/- per acre.

5. The RC assessed the market value at the rate of Rs.2,50,000/- per acre by relying upon sale instance Ex.P-1 after a gap of two and half years between 05.08.1997 and 21.03.2000. The RC granted increase of 25% i.e at the rate of 10% per year on the price of Rs.2,00,000/- per acre. Thus, the RC assessed the market value at Rs.2,50,000/- per acre. Learned counsel representing the appellants submits that the increase per year should be 15% instead of 10%.

6. This Court has considered the submissions made by the learned counsel representing the parties.

7. There is no evidence to the effect that the prices of the agricultural land were increasing at the rate of 15% per annum. The acquisition was for construction of a drain. The land is located in a village which is located in the interiors. In the absence of evidence to prove that the



RFA-4690-2011(O&M)
and other connected cases

prices of the land were increasing at the rate of 15% per annum, it is not safe to calculate prices by scaling up the price by 15% per annum.

8. Learned counsel representing the appellants did not make any other submission.

9. Keeping in view the aforesaid facts, no ground to interfere is made out.

10. Hence, dismissed.

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

(ANIL KSHETARPAL)
JUDGE

24.02.2025

rekha

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

Serial No.	Case No.	Appellant(s)	Respondent(s)
1.	RFA-4690-2011	RAM KISHAN	ENGINEER-IN-CHIEF IRRIGATION HRY. AND ORS.
2.	RFA-4691-2011	ROSHAN AND OTHERS	ENGINEER-IN-CHIEF. IRRIGATION, HARYANA CHD. & ORS.
3.	RFA-4692-2011	RAJBIR AND ORS.	ENGINEER-IN-CHIEF IRRIGATION HRY. AND ORS.
4.	RFA-4693-2011	DAYA CHAND	ENGINEER-IN-CHIEF IRRIGATION HRY. AND ORS.
5.	RFA-4694-2011	SATPAL	ENGINEER-IN-CHIEF IRRIGATION HRY. AND ORS.
6.	RFA-4695-2011	ATTAR SINGH AND ORS.	ENGINEER-INCHIEF IRRIGATION HRY. AND ORS.
7.	RFA-4696-2011	MAMAN AND ORS.	ENGINEER-IN-CHIEF IRRIGATION HRY. AND ORS.
8.	RFA-4697-2011	DEVI RAM & ORS.	ENGINEER IN CHIEF IRRIGATION DEPTT. HRY & ORS.
9.	RFA-4698-2011	SAT NARAIN AND ORS.	ENGINEER-IN-CHIEF. IRRIGATION, HARYANA CHD. & ORS.
10.	RFA-4699-2011	RAM SARUP AND ORS.	ENGINEER-IN-CHIEF IRRIGATION HRY. AND ORS.



RFA-4690-2011(O&M)
and other connected cases

11.	RFA-4700-2011	SIRI BHAGWAN & ORS.	ENGINEER IN CHIEF IRRIGATION DEPTT. & ORS.
12.	RFA-4701-2011	JIT SINGH @ JITA & ANR.	ENGINEER IN CHIEF IRRIGATION DEPTT. & ORS.
13	RFA-4702-2011	TARA CHAND AND ORS.	ENGINEER-INCHIEF IRRIGATION HRY. AND ORS.
14	RFA-4703-2011	MAHA SINGH AND ORS	STATE OF HARYANA
15	RFA-4704-2011	DHARAMBIR AND ORS.	ENGINEER-IN-CHIEF. IRRIGATION, HARYANA CHD. & ORS.
16	RFA-4705-2011	RAJPAL AND ORS.	ENGINEER-IN-CHIEF. IRRIGATION, HARYANA CHD. & ORS.
17	RFA-4706-2011	RAM CHANDER & ORS.	ENGINEER IN CHIEF IRRIGATION DEPTT.AND ORS
18	RFA-4707-2011	RANDHIR SINGH AND ORS	ENGINEER-IN CHIEF IRRIGATION, HARYANA CHD. & ORS.
19	RFA-4708-2011	RAM KARAN AND ORS	STATE OF HARYANA
20	RFA-4709-2011	BHAGWANA	ENGINEER-IN-CHIEF. IRRIGATION, HARYANA CHD. & ORS.
21	RFA-4710-2011	JAGBIR SINGH AND ORS.	STATE OF HARYANA
22	RFA-4711-2011	MAYA CHAND AND ORS.	ENGINEER-INCHIEF IRRIGATION HRY. AND ORS.

24.02.2025
rekha

(ANIL KSHETARPAL)
JUDGE