



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

**RFA-1778-2012 (O&M)
Date of decision : 17.02.2025**

**Surinder Singh @ Kala Singh
and another**

...Appellants

Vs.

The State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Bhag Singh, Advocate
for the appellant(s).

Mr. Ramesh Sindhar, Advocate
for the appellant(s) in RFA 2856-2023.

Ms. Vibha Tewari, AAG, Haryana.

ANIL KSHETARPAL, J. (Oral)

1. With the consent of learned counsel representing the parties, a batch of 19 connected regular first appeals, detail whereof is given at the foot of the judgment, shall stand disposed of by this common order.
2. On 10.09.2001, notification under Section 4 of the Land Acquisition Act, 1894 was issued proposing to acquire the land measuring 4.9 acres for laying pipe line to augment Water Supply based on Canal for Ambala Sadar Area at Ambala Cantt.
3. The Land Acquisition Collector assessed the market value in the following manner:-



Sr. No	Kinds of Land	Rate fixed per acre
1.	Chahi/Nehri Aabi	Rs. 3,73,000/-
2.	Barani	Rs. 2,25,000/-
3.	Gair Mumkin	Rs. 1,50,000/-

4. Now, the Reference Court has assessed the market value of the acquired land in the following manner:-

Chahi - *Rs.7,18,740/- (@148.50 per sq. yard)*
Barani - *Rs.4,84,000/- (@ Rs.100 per sq. yard)*
Gair Mumkin - *Rs. 2,90,400/- (@ 60 per sq. yard)*

5. Heard the learned counsel representing the parties at length and with their able assistance perused the paper-book.

6. Learned counsel representing the appellant(s) contend that out of same village the land was acquired for developing an urban state. He further submits that the Reference Court has erred in applying 50% deduction on the market value assessed vide judgment dated 24.02.2011, Ex.PX. He submits that there was no reason to deduct 50% of the amount.

7. *Per contra*, learned counsel representing the respondents submits that the Reference Court has relied upon the assessment of market value of the acquired land, which is located on the eastern side of the G.T. road, whereas, the acquired land in the present case is located on western side. She further submits that in view of sale instances Ex. RK/1 to RK/9, the market value is between Rs.2.5 lacs per acre to Rs.3 lacs per acre.

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

9. Ex. PX is a judgment relating to the property located towards



eastern side of G.T. road, which is dual carriageway having four lanes each. The majority of acquired land is located on the western side of G.T. road. The majority of sale instances produced by the land owners are with regard to parcels of land located on eastern side of the G.T. road except Ex.P6, which is with respect to very small parcel of land measuring 13 marlas, which is equivalent to 393.25 sq. yard.

10. The parties have relied upon the following sale instances:-

Sr. No.	Exhibit	Village	Area/Price	Date of sale Deed	Rate per acre
1.	Ex.P1	Shahpur	16K-6M/ 10,18,750	10.06.1992	Rs. 5 lacs
2.	Ex.P2	Shahpur	2K-1M/4,50,000	27.05.1998	Rs. 18 lacs
3.	Ex.P3	Shahpur	19 Marlas/ 2,50,000	03.06.1998	Rs.20 lacs
4.	Ex.P4	Shahpur	17 Marlas/3,00,000	25.05.1998	Rs.27 lacs
5.	Ex.P5	Shahpur	1K-6M/ 2,00,000	26.02.2001	Rs.12 lacs
6.	Ex.P6	Shahpur	13 Marlas/ 1,01,000	30.08.2000	Rs.12 lacs

On other hand, the sale instances produced by the respondents are as below:-

Sr. No.	Exhibit	Village	Area/Price	Date of sale Deed	Rate per acre
1.	Ex.RK/1	Shahpur	15K-4M/4,75,000	07.06.1999	Rs.2.5 lacs
2.	Ex.RK/2	Shahpur	6K-4M/ 1,44,000	18.06.1999	Rs.2.5 lacs
3.	Ex.RK/3	Shahpur	19K-10M/60,000	05.07.1999	Rs.2.5 lacs
4.	Ex.RK/4	Shahpur	4K-OM/ 1,24,000	29.07.1999	Rs.2.5 lacs
5.	Ex.RK/5	Shahpur	4K-0M/1,37,500	23.06.2000	Rs.2.75 lacs
6.	Ex.RK/6	Shahpur	28K-4M- chahi 4k-OM-Barani 7K-15M-Gair Mumkin	19.07.2000	Rs.2.5 lacs Rs.2.00 lacs Rs.1.35 lacs
7.	Ex.RK/7	Shahpur	5K-6M/ 1,66,000	25.10.1999	Rs.2.5 lacs
8.	Ex.RK/8	Shahpur	10K/3,75,000	25.07.2001	Rs.3 lacs
9.	Ex.RK/9	Shahpur	11K-18M/4,46,250	28.12.2001	Rs.3 lacs
10.	Ex.RK/10	Shahpur	15K-14M/7,50,000	09.01.2002	

11. It is evident that the sale instances Ex. RK/1 to RK/10 are relating to parcels of land located in village Shahpur itself. The acquired land also is located in village Shahpur and Tharwa, which is further towards western side of village Shahpur. The sale instance Ex. P6 is with respect to very small parcel of land, whereas, the acquired land is an agricultural land.
12. The Reference Court has already assessed the market value of the acquired land by taking a very liberal view.
13. The State has not filed any appeal.
14. Hence, no ground to interfere is made out.
15. Consequently, all the regular first appeals are dismissed.
16. All the pending miscellaneous applications, if any, are also disposed of.

17.02.2025
neeraj

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :

Whether Reportable :

Yes

Yes

No

No

Sr. No.	Case No.	Appellant(s)	Respondent(s)
1.	RFA-1778-2012	SURINDER SINGH AND ANOTHER	STATE OF HARYANA
2.	RFA-1779-2012	KARAM SINGH	STATE OF HARYANA
3.	RFA-1780-2012	HARJINDER SINGH	STATE OF HARYANA
4.	RFA-1781-2012	SONA DEVI	STATE OF HARYANA
5.	RFA-1782-2012	JOGINDER SINGH AND ORS	STATE OF HARYANA
6.	RFA-1783-2012	TARANJIT SINGH AND ANR	STATE OF HARYANA
7.	RFA-1784-2012	JANG SINGH	STATE OF HARYANA



8.	RFA-1785-2012	KULWINDER SINGH	STATE OF HARYANA
9.	RFA-1786-2012	YADVINDER SINGH AND ORS	STATE OF HARYANA
10.	RFA-1787-2012	MALHINDER SINGH AND ORS	STATE OF HARYANA
11.	RFA-1788-2012	BALJINDER KAUR AND ORS	STATE OF HARYANA
12.	RFA-1789-2012	GURJANT SINGH AND ANR	STATE OF HARYANA
13	RFA-4063-2012	NAVTEJ SINGH AND ORS	STATE OF HARYANA
14	RFA-4828-2012	RANJIT SINGH AND ORS	STATE OF HARYANA
15	RFA-2856-2013	JARNAIL SINGH	STATE OF HARYANA
16	RFA-10602-2014	HARNEK SINGH & ORS	STATE OF HARYANA
17	RFA-10603-2014	TARLOCHAN SINGH AND ANR	STATE OF HARYANA
18	RFA-2266-2015	SADHU RAM SINCE DECEASED THROUGH HIS LRS	STATE OF HARYANA
19	RFA-3219-2015	SURESH CHAND (DECEASED) THROUGH LRS AND OTHERS	STATE OF HARYANA

17.02.2025
neeraj

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No