



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

**RFA No. 6215 of 2012 (O&M)
Date of Decision: 23.12.2025**

Tejinderpal Singh and others

...Appellants

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Parvinder Singh, Advocate
for the appellants-landowners.

Mr. Gunjan Mehta, Additional Advocate General, Punjab
for respondent Nos. 1 to 3/State of Punjab.

HARKESH MANUJA, J. (ORAL)

The appellants-landowners, by instituting the present appeal preferred under Section 54 of the Land Acquisition Act, 1894 **(for short “1894 Act”)**, are seeking modification of the award dated 15.06.2012 passed by the learned Additional District Judge, Patiala **(hereinafter to be referred as “Reference Court”)** for enhancement of compensation amount.

[2] Briefly, the facts are that in the month of March, 1977, respondents-State of Punjab occupied the land measuring 17 bighas 10 biswas; however, notifications under Sections 4 & 6 of the 1894 Act were issued on 13.03.1998 & 22.09.1999 regarding 5 bighas 9 biswas of land; followed by an Award dated 10.04.2001 by the Land Acquisition Collector **(for short “LAC”)** assessing the market value of land at the rate of Rs. 4 lakhs per acre. Subsequently, notifications

under Sections 4 & 6 of the 1894 Act were issued on 27.03.2003 & 26.03.2004 regarding 12 bighas of land, however, the award dated 13.03.2006 was passed by the LAC for the land measuring 11 bighas instead of 12 bighas, while awarding compensation at the rate of Rs. 3.5 lakhs per acre for 11 bighas of land only. The acquisition was made for the public purpose, namely, "for the construction of Ghaggar Bridge on NH-1 (G.T. Road) in km. 213" in Village Mehmampur, Tehsil Rajpura, District Patiala.

[3] Aggrieved of the aforesaid Award dated 13.03.2006, landowners / interested persons filed objection under Section 18 of the 1894 Act, which was partly accepted vide decision dated 15.06.2012 by the learned Reference Court while awarding the compensation at the rate of Rs. 4 lakhs per acre for 11 bighas of land alongwith other statutory benefits. Still dissatisfied with the aforesaid decision of the learned Reference Court, the present appeal has been preferred at the instance of appellant(s)-landowner(s).

[4] After hearing learned counsel for the parties and having gone through the paper-book / records, I find substance in the submission(s) made on behalf of the appellant(s)-landowner(s).

[5] A perusal of the record shows that the appellants-landowners jointly owned 16 bighas 9 biswas of land in the revenue estate of Village Mehmampur, Tehsil Rajpura, District Patiala, which came to be acquired vide two separate notifications dated 13.03.1998 and 27.03.2003 issued under Section 4 of the 1894 Act for the same public purpose, namely, for construction of Ghaggar Bride on G.T. Road N.H. No. 1 in Km. 213.00. Vide previous notification dated 13.03.1998, 5 bighas 9 biswas of land was acquired, whereas vide

later notification dated 27.03.2003, the left out area measuring 11 bigha was acquired. The details of the above-mentioned two acquisition proceedings are given here-below in the tabulated form:-

Notification under Section 4	13.03.1998	27.03.2003
Notification under Section 6	22.09.1999 (5 bigha 9 biswa)	26.03.2004 (11 bigha 19 biswa) Corrigendum dt. 23.09.2005 for 11 bighas only
Village, District	Mehnadpur, District Patiala	Mehnadpur, District Patiala
Purpose	Construction of bridge	Construction of bridge
Possession taken on	March 1997 (16 bigha 9 biswa)	March 1997 (16 bigha 9 biswa)
LAC Award	10.04.2001 @ Rs. 4,00,000/-per acre	31.03.2006 (11 bigha) @ Rs. 3,50,000/- per acre
ADJ/RC Award	No reference preferred	15.06.2012 @ @ Rs. 4,00,000/-per acre

[6] It has not been disputed that for 5 bighas and 9 biswas of land, which was acquired in terms of notification dated 13.03.1998 issued under Section 4 of the 1894 Act, award under Section 11 was passed by the LAC on 10.04.2001 and the market value was assessed at the rate of Rs. 4 lakhs per acre besides grant of other statutory benefits. Later, on 27.03.2003, the remaining 11 bighas adjoining the previously acquired land was notified and the award was passed on 31.03.2006, whereby the market value was assessed at the rate of Rs. 3,50,000/- per acre.

[7] It may be relevant to note here that against the award dated 10.04.2001, no reference petition was preferred and the said determination thus attained finality *inter se* the parties. However, with respect to the award dated 31.03.2006, the appellants-landowners sought reference under Section 18 of the 1894 Act and the compensation was re-assessed at the rate of Rs. 4 lakhs per acre

vide award dated 15.06.2012 which has been impugned in the present appeal seeking further enhancement.

[8] Upon perusal of the record, it is discernible that the land under acquisition is situated on the national highway, thus, having locational advantage attached to it. In such circumstances, an appreciation at the compound rate of 12% per annum needs to be granted / awarded in favour of the appellants-landowners over the market value assessed by the LAC vide award dated 10.04.2001 in relation to the acquisition proceedings which commenced vide notification dated 13.03.1998, for the time gap between the two notifications i.e. 13.03.1998 till 27.03.2003 and thus, the market value of the land under present acquisition which came to be acquired vide notification dated 27.03.2003 issued under section 4 of the 1894 Act comes to **Rs. 7,08,181/- per acre**, as per calculation below:-

Description	Amount per acre (in Rs.)
Market Value of the acquired land (as per LAC's Award dated 10.04.2001)	4,00,000.00
Add: Appreciation @ 12% per annum (Rs.4,00,000 x 12/100) (from 13.03.1998 to 12.03.1999)	48,000.00
	4,48,000.00
Add: Appreciation @ 12% per annum (Rs.4,48,000 x 12/100) (from 13.03.1999 to 12.03.2000)	53,760.00
	5,01,760.00
Add: Appreciation @ 12% per annum (Rs.5,01,760 x 12/100) (from 13.03.2000 to 12.03.2001)	60,211.20
	5,61,971.20
Add: Appreciation @ 12% per annum (Rs.5,61,971.20 x 12/100) (from 13.03.2001 to 12.03.2002)	67,436.54
	6,29,407.74
Add: Appreciation @ 12% per annum (Rs.6,29,407.74 x 12/100) (from 13.03.2002 to 12.03.2003)	75,528.93
	7,04,936.67
Add: Appreciation @ 12% per annum (Rs. 7,04,936.67 x 12/100 x 15/365)	3,244.64

(from 13.03.2003 to 27.03.2003 = 14 days)	
	7,08,181.31
Net Compensation	7,08,181.00 (Round Off)

[9] Further, from the written statement filed on behalf of the respondents read with the award passed by the LAC on 31.03.2006 and also from the affidavit of RW-1-Amarjit Singh, Sub Divisional Engineer, Central Works Sub Division No. 2, PWD (B&R) Branch, Sangur, it is established on record that the possession of 11 bigha of land which came to be acquired vide notification dated 27.03.2003 was taken over by the respondents in March 1997 itself i.e. at the time of commencement of construction of the bridge in pursuance to the first notification dated 13.03.1998. Relevant para-2 from the written statement filed by respondents as well as para-3 from the affidavit of RW-1 (Amarjit Singh) are reproduced hereunder:-

“ Para-2 from the written statement filed by respondent:-

2. *That Para No. 2 is wrong and denied. The land was occupied in March, 1997 as reported by the Executive Engineer, Central Works Division, Sangrur at Patiala vide his letter no. 2042 dated 25.10.2004. However total land was 19 Bighas 9 Biswas for which payment was made to the objectors.*

Para-3 from the affidavit of RW-1 (Amarjit Singh)

3. *That the land was occupied in March, 1997 as reported by the Executive Engineer, Central Works Division, Sangrur at Patiala vide his letter No. 2042 dated 25.10.2004 (Annexure III). However total land was 19 Bighas 9 Biswas for which payment was made to the objectors.”*

[10] In view of the above, once the possession of the land under acquisition was taken over by the respondents in March 1997

itself, the appellants-landowners are held entitled for award of additional amount calculated at the rate of 12% per annum on the market value for the period commencing from the date of taking over the possession of land i.e. March 1997 till the issuance of notification under Section 4 of the Act in the case in hand i.e. upto 27.03.2003 in terms of Section 23 (1-A) of the 1894 Act.

DECISION

[11] Accordingly, the impugned award dated 15.06.2012 passed by the learned Reference Court is modified and the appellants-landowners are held entitled for award of market value at the rate of **Rs. 7,08,181/- per acre**. The appellant(s)-landowner(s) are also awarded consequential / statutory benefits and interest as provided in the 1894 Act (as amended up-to-date), especially the interest on solatium as well.

[12] Also, wherever the landowner(s) has/have unfortunately died in the appeal(s) / cross-objection(s) after filing thereof and the legal representatives 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.

[13] **Disposed off** accordingly.

[14] Pending miscellaneous application(s), if any, shall stand(s) disposed off.

December 23, 2025

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**(HARKESH MANUJA)
JUDGE**

Whether Speaking / Reasoned :	Yes	No
Whether Reportable :	Yes	No