

2025:PHHC:174035



RFA-262-2018 (O&M)

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

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**CM No.4746-CI of 2023 in/and
RFA No.262 of 2018 (O&M)
Date of Decision: 12.12.2025**

PUSHPA DEVI (DECEASED) TH LRS AND ORSAppellant(s)

Vs

UNION OF INDIA AND ORS ...Respondent(s)

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Munish Puri, Advocate
for the appellants.

Mr. Pardeep Rajput, Sr. Panel Counsel, UOI
for respondent Nos.1 and 2.

Mr. Athar Ahmed, DAG, Punjab.

HARKESH MANUJA, J. (Oral)

CM No.4746-CI of 2023

Prayer in the present application moved on behalf of the applicants-appellants, is for fixing actual date of hearing of the main appeal which stands admitted vide order dated 12.10.2018.

Notice of the said application was issued on 30.10.2023 by this Court.

Learned counsel representing the respondents accept notice and raise no objection against the prayer made in the application.

In view of the above, present application is allowed and with the consent of learned counsel for the parties, the main case i.e. appeal is taken on board today itself.

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[1]. By way of present appeal, challenge has been laid to the Award dated 17.01.2008 passed by the learned Addl. District Judge, Gurdaspur (hereinafter to be referred as the 'Reference Court'), whereby Reference Petition(s) filed under

Section 18 of the Land Acquisition Act, 1894 (for short 'the 1894 Act') at the

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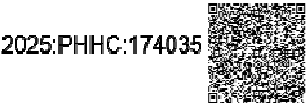
instance of landowner(s) was partly allowed thereby granting the benefit of enhanced market value @ Rs.1600/- per marla *qua* the acquired land besides awarding statutory benefits/interest as provided under the 1894 Act.

[2]. Learned counsel for the appellants/landowners submits that under similar circumstances and pertaining to the land forming part of the same acquisition within the same revenue estate, the market value stands increased to Rs.2300/- per marla by this Court vide judgment dated 17.02.2016 rendered in **RFA No.2902 of 1999** titled '**Union of India and another vs. Major Pritam Singh and another**' and thus, the appellants/landowners are entitled for the similar benefits. He thus prays that the appeal filed at the instance of the appellants/landowners be allowed in the same terms.

[3]. As against this, learned counsel representing the respondents though opposed the prayer made by appellants/landowners, however have not been able to controvert the factual aspect with respect to the final determination of compensation about the acquisition similar to the case in hand at Rs.2300/- per marla been granted by this Court vide the aforementioned decision.

[4]. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the appellants/landowners.

[5]. Accordingly, with respect to the determination of market value, the stand taken by the counsel representing the appellants-landowners that the matter is covered with the judgment dated 17.02.2016 rendered in **RFA No.2902 of 1999** titled '**Union of India and another vs. Major Pritam Singh and another**' and the same been not factually controverted by learned counsel for the respondents, the market value in the present case as well is thus assessed @ Rs.2300/- per marla in



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favour of the appellants/landowners. In addition, the landowners shall also be entitled for award of all statutory benefits and interest as provided under the provisions of the 1894 Act (amended upto to date). The landowners shall also be entitled for solatium @ 30% besides award of interest thereupon as well. However, the appellants/landowners shall not be entitled to interest on the enhanced compensation for the period of delay of 3182 days in filing the present appeal.

[6]. Consequently, in view of the discussion made herein above, the present appeal is hereby partly allowed in the aforesaid terms.

[7]. All pending application(s), if any, shall also stand disposed of.

December 12, 2025

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(HARKESH MANUJA)
JUDGE

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