

2025:PHHC:178468



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

**CM-4223-CI-2025 in/and
RFA-4815-2017 (O&M)
Decided on:-23.12.2025**

The Deputy Chief Engineer and anotherAppellants..

vs.

Tilak Raj and anotherRespondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Yogesh Putney, Senior Advocate with
Mr. Kuber Vikas, Advocate,
Mr. Yatin Chadha, Advocate
for the Railways Department.

Mr. Naresh Kaushal, Advocate
Mr. Nitish Kaushal, Advocate,
Mr. Vipul Dharmani, Advocate,
for the landowners (in their respective appeals).

Mr. Gunjan Mehta, Addl. A.G., Punjab.

HARKESH MANUJA J. (Oral)

CM-4223-CI-2025 in RFA-4815-2017 (O&M)

Prayer in the application is for fixing actual date of hearing in
the main appeal.

Having heard learned counsel for the parties and gone through
the record, prayer made in the application is allowed and the main appeal(s)
is/are taken up today for hearing.

Exemption applications

Pending exemption applications, if any, in the appeals are allowed as prayed for.

Applications for impleadment of legal representatives

Applications for impleading the legal representatives/legal heirs of the deceased in their respective appeals are allowed as prayed for, subject to all just exceptions.

Amended memo of parties are taken on record in the respective files.

Main case(s)

1. Vide this common judgment, batch of total 84 connected Regular First Appeals and cross-objections are being decided as all have arisen out of the same award. The details of the connected cases are given at the foot of the judgment.

2. Learned counsel for the parties are *ad idem* that the matter in issue with regard to determination of market value of acquired land is squarely covered by the decision rendered by this Court in RFA-2917-2017 (O&M), titled as ***“Deputy Chief Engineer and another vs. Zulfi Ram and another”***, decided on 14.10.2025, wherein the land measuring 141 acres, 4 kanals and 07 marlas of land situated within the revenue estates of 09 Villages in District Ropar, was acquired by the Government of Punjab vide notification dated 18.08.2009, issued under Section 4 of the Land Acquisition Act, 1894 (for short, “1894 Act”), for the same purpose i.e. for construction of new B.G. Railway Line from Village Bhanupali to Bilaspur-Beri. However, later vide notification dated 25.05.2010 issued under Section

6 of the 1894 Act, land measuring 62 acres and 07 marlas situated within the revenue estates of 05 Villages, namely, Bhanupali, Nangli, Jandla, Daruli and Bhallowal, Tehsil Nangal, District Ropar was acquired. Relevant portion of paras 14 and 15 of **Zulfi Ram's** case (supra) are reproduced hereunder:-

“14.However, taking into account the small parcels of land forming part of the sale exemplars Exs. A23 and A26, as a matter of abundant caution, a development cut of 20% needs to be applied and the market value of the acquired land per acre thus comes to Rs.92,97,200/- along with all statutory benefits as provided under the Act (Upto date).....

15.In such circumstances, the landowners are bound to suffer loss towards cultivation of land besides causing them inconvenience towards connectivity of the two parcels left on either side of the railway track. Moreover, severance also causes reduction in value of remaining land due to alteration in access, useability and irregularity of shape etc. As such, it would be appropriate to award damages against severance of land in favour of the landowners @ Rs.25% of the market value as assessed by this Court”

3. In view of the above, all the appeals preferred at the instance of Railway-Department are hereby dismissed whereas the appeals as well as cross-objection preferred at the instance of landowners are hereby disposed of in terms of the aforesaid decision and the landowners are held entitled for similar market value along with all statutory benefits and interest payable under the provisions of amended Land Acquisition Act, 1984, especially the benefit of interest on solatium.

4. Further, wherever, the landowner(s) has/have unfortunately expired in the appeal(s)/cross-objection(s) after filing thereof and the legal

heirs 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.

5. Pending application, if any, also stands disposed of.

23.12.2025
sonika

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/ No

Sr. No.	Case No.
1.	RFA-4815-2017 (O&M)
2.	RFA-4282-2017 (O&M) with X-OBJR-117-2025
3.	RFA-4249-2017 (O&M) with XOBJR-45-2024
4.	RFA-4801-2017 (O&M)
5.	RFA-4802-2017 (O&M)
6.	RFA-4803-2017 (O&M)
7.	RFA-4804-2017 (O&M)
8.	RFA-4805-2017 (O&M)
9.	RFA-4806-2017 (O&M)
10.	RFA-4807-2017 (O&M)
11.	RFA-4808-2017 (O&M)
12.	RFA-4809-2017 (O&M)
13	RFA-4810-2017 (O&M)
14.	RFA-4811-2017 (O&M)
15	RFA-4812-2017 (O&M)
16.	RFA-4813-2017 (O&M)
17	RFA-4814-2017 (O&M)
18	RFA-4816-2017 (O&M)
19	RFA-4839-2017 (O&M)
20	RFA-3719-2017 (O&M)
21	RFA-3720-2017 (O&M)
22	RFA-3721-2017 (O&M)
23	RFA-3722-2017 (O&M)
24	RFA-3723-2017 (O&M)
25	RFA-3724-2017 (O&M)
26	RFA-3725-2017 (O&M)

RFA-4815-2017 (O&M)
and other connected cases

27	RFA-3726-2017 (O&M)
28	RFA-3727-2017 (O&M)
29	RFA-3728-2017 (O&M)
30	RFA-3729-2017 (O&M)
31	RFA-3730-2017 (O&M)
32	RFA-3731-2017 (O&M)
33	RFA-3732-2017 (O&M)
34	RFA-3733-2017 (O&M)
35	RFA-3734-2017 (O&M)
36	RFA-3735-2017 (O&M)
37	RFA-3736-2017 (O&M)
38	RFA-3737-2017 (O&M)
39	RFA-3738-2017 (O&M)
40	RFA-3739-2017 (O&M)
41	RFA-3740-2017 (O&M)
42	RFA-3741-2017 (O&M)
43	RFA-3742-2017 (O&M)
44	RFA-3743-2017 (O&M)
45	RFA-5168-2017 (O&M)
46	RFA-5169-2017 (O&M)
47	RFA-5170-2017 (O&M)
48	RFA-5171-2017 (O&M)
49	RFA-5172-2017 (O&M)
50	RFA-5173-2017 (O&M)
51	RFA-5174-2017 (O&M)
52	RFA-5175-2017 (O&M)
53	RFA-5177-2017 (O&M)
54	RFA-5179-2017 (O&M)
55	RFA-5180-2017 (O&M)
56	RFA-5181-2017 (O&M)
57	RFA-5182-2017 (O&M)
58	RFA-5183-2017 (O&M)
59	RFA-5184-2017 (O&M)
60	RFA-5185-2017 (O&M)
61	RFA-72-2018 (O&M)
62	RFA-251-2018 (O&M)
63	RFA-252-2018 (O&M)
64	RFA-565-2018 (O&M)
65	RFA-566-2018 (O&M)
66	RFA-567-2018 (O&M)
67	RFA-5178-2017 (O&M)

68	RFA-5217-2017 (O&M)
69	RFA-4241-2017 (O&M)
70	RFA-4242-2017 (O&M)
71	RFA-4243-2017 (O&M)
72	RFA-4244-2017 (O&M)
73	RFA-4245-2017 (O&M)
74	RFA-4246-2017 (O&M)
75	RFA-4247-2017 (O&M)
76	RFA-4248-2017 (O&M)
77	RFA-4250-2017 (O&M)
78	RFA-904-2018 (O&M)
79	RFA-905-2018 (O&M)
80	RFA-906-2018 (O&M)
81	RFA-907-2018 (O&M)
82	RFA-908-2018 (O&M)
83	RFA-909-2018 (O&M)
84	RFA-910-2018 (O&M)

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