2025:PHHC:172362

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

RFA-5079-2017
Decided on:-05.12.2025

State of Haryana and others ....Appellants..

vs.

Rajbir .Respondent..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Abhinash Jain, DAG, Haryana.

Mr.Sandeep Kumar Yadav, Advocate for the landowner.

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HARKESH MANUJA J. (Oral)

1. By way of present appeal, challenge has been laid to an award dated 18.08.2017 passed by the learned Additional District Judge, Narnaul (in short, "Reference Court") whereby, reference petition preferred at the instance of landowners invoking Section 18 of the Land Acquisition Act, 1894 (for brevity, "the 1894 Act"), was partly accepted.

2. Present acquisition relates to some land falling in the revenue estate of Dhani Bathotha, Tehsil Narnaul, District Mohindergarh, acquired vide notifications dated 28.02.2011 and 06.07.2011 issued under Sections 4 & 6 of the 1894 Act respectively. The acquisition was carried out for public purpose namely, for the construction of road (widening four lane etc.) maintenance, management and operation of MDR No.129 from Rai Malikpur to Narnaul, District Mohindergarh. The Land Acquisition Collector vide Award No.25 dated 23.05.2012 assessed the market value @ Rs.20,00,000/- per acre.

3. Aggrieved thereof, the landowner preferred reference petition

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under Section 18 of the 1894 Act, which was disposed of vide award dated 18.08.2017 and the market value was determined at the rate of Rs.38,71,998/- per acre.

4. Feeling dissatisfied with the aforesaid Award passed by the learned Reference Court, State of Haryana finding the enhancement excessive filed the present appeal, praying for setting aside of the decision of the learned Reference Court.

5. Both the respective counsels for the parties are *ad idem* that the issue of quantum of market value stand finally adjudicated upon by this Court vide decision dated 09.11.2022 passed in RFA-5039-2017, titled as ***"State of Haryana and others vs. Hansraj"***, whereby the award passed by the learned Reference Court has been set aside thereby restoring the award passed by Land Acquisition Collector. Para No.4.1 of the ***Hansraj's*** case (supra) is reproduced hereunder:-

> *"4.1. Keeping in view the aforesaid discussion, this Court is left with no choice but for to set aside the judgment of the RC. The appeals filed by the State of Haryana are allowed. Resultantly, the appeals filed by the landowners shall stand dismissed. In fact, the LAC's award No.25 dated 23.05.2012, is upheld resulting in dismissal of all the petitions filed under Section 18 of the 1894 Act."*

7. In view of the above, the present appeal is also disposed of in terms of the aforesaid decision.

8. Pending application, if any, also stand disposed of.

05.12.2025 **(HARKESH MANUJA)**
sonika **JUDGE**

(i)Whether speaking/reasoned: Yes/No (ii) Whether reportable: Yes/ No

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