

2025:PHHC:172584



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

Decided on:-05.12.2025

1. RFA-5359-2017 (O&M)

State of Haryana and othersAppellants..

vs.

Ghisa Ram and othersRespondents..

2. RFA-640-2018 (O&M)

Ghisa Ram and another ...Appellants..

vs.

State of Haryana and others .Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Abhinash Jain, DAG, Haryana.

Mr.S.K. Yadav, Advocate,
for the landowners.

HARKESH MANUJA J. (Oral)

1. Vide this common judgment, the aforementioned two Regular First Appeals are being decided as both have arisen out of the same award.

1.2 For convenience, the facts are being taken from RFA-5359-2017 (O&M).

2. 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.

3. 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.

4. Aggrieved thereof, the landowners preferred reference petition 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.

5. Feeling dissatisfied with the aforesaid Award passed by the learned Reference Court, State of Haryana (finding the enhancement excessive, thus, praying for setting aside of the decision of the learned Reference Court) as well as the landowners (seeking modification and enhancement of the compensation) preferred appeal and cross-appeal.

6. 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. With respect to the compensation on account of construction, I have heard learned counsel for the parties and gone through the paper book.

8. A perusal of the record shows that the landowners have already been awarded compensation in accordance with the evidence led by them in the form of valuation report Ex.PW12/A, which was proved on record by S h. P.R. Gupta, Building Expert, as such, no further enhancement is called for.

9. In view of the discussion made herein above, the appeal preferred at the instance of State of Haryana stands disposed of in terms of **Hansraj's** case (supra) and the appeal preferred at the instance of landowner stands dismissed.

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

05.12.2025

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No