



RFA Nos.1094 of 2016 (O&M) with other connected cases

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

125-2

1.

RFA No.1094 of 2016 (O&M)
Date of Decision: 16.10.2025

SATYA PARKASH (DECEASED) THROUGH HIS LRS AND ORS. ..Appellants
Vs

STATE OF HARYANA THROUGH COLLECTOR, GURGAON AND ORS.
...Respondent(s)

2.

RFA No.1817 of 2016 (O&M)
.....Appellant

MAHABIR
Vs

STATE OF HARYANA THROUGH COLLECTOR, GURGAON AND ORS.
...Respondent(s)

3.

RFA No.2551 of 2015 (O&M)
.....Appellant

RAJESH

Vs

STATE OF HARYANA THROUGH COLLECTOR, GURGAON AND ORS.
.....Respondents.

4.

RFA No.366 of 2017 (O&M)
.....Appellants

SANDEEP AND ANR.
Vs

STATE OF HARYANA THROUGH COLLECTOR, GURGAON AND ORS.
...Respondent(s)

5.

RFA No.4566 of 2016 (O&M)

STATE OF HARYANA THROUGH COLLECTOR, GURGAON.....Appellant
Vs

DEVDEEP AND ORS. ...Respondent(s)

6.

RFA No.4666 of 2015 (O&M)

HANSRAJ
Vs

.....Appellant

STATE OF HARYANA THROUGH COLLECTOR, GURGAON AND ORS.
Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sudhir Aggarwal, Advocate with
Mr. Ishan Aggarwal, Advocate
Mr. Mohit Garg, Advocate and
Mr. Utsav Sharma, Advocate for
Mr. G.P. Singh, Advocate



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for the appellants/landowners.

Mr. Abhinash Jain, D.A.G., Haryana with
Ms. Anupama, LAC, Gurugram and
Sh. Shamsher and Sh. Naresh, Patwari.

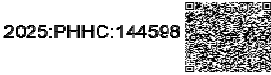
HARKESH MANUJA, J. (Oral)

[1]. Vide this common order, the aforementioned Regular First Appeals are being decided as all have arisen out of common acquisition/Award involving identical facts and question of law. For the sake of brevity, facts are being taken from RFA No.1094 of 2016.

[2]. By way of present appeal(s), challenge has been laid to the Award dated 04.12.2015 passed by the learned Addl. District Judge, Gurgaon (now Gurugram) (hereinafter to be referred as the 'Reference Court'), whereby Reference Petition filed under Section 18 of the Land Acquisition Act, 1894 (for short 'the 1894 Act') at the instance of the landowners was partly allowed while granting them the benefit of enhanced market value @ Rs.2,17,41,177/- per acre *qua* the acquired land along with compensation of Rs.1,17,84,000/- to the petitioner-Company towards structure besides awarding statutory benefits/interest as provided under the 1894 Act.

[3]. Briefly stating, in the present case(s), some land owned by the appellants, situated within the revenue estate of village Harsaru, District Gurgaon (now Gurugram), came to be acquired vide Notifications dated 11.02.2010 and 19.02.2010 issued under Sections 4 & 6 of the 1894 Act respectively. The acquisition was for the public purpose namely for the development and utilization of land for sectors roads in Sectors 81 to 95 at Gurgaon (now Gurugram). Award No.15 dated 14.06.2010 was passed by the Land Acquisition Collector (for short

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‘the LAC’) and the compensation was assessed @ Rs.50,00,000/- per acre for all kinds of land besides awarding statutory benefits/interest as provided under the 1894 Act, which was subsequently set aside/quashed by this Court asking the LAC to make a report on the objections raised by the landowners. However, the LAC, again, vide order Award No.45 dated 12.02.2011 announced the same compensation as was awarded in Award No.15 dated 14.06.2010.

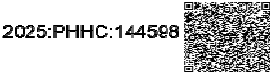
[4]. Aggrieved thereof, the appellant(s)-landowners invoked Reference under Section 18 of the 1894 Act, which came to be partly allowed by the learned Reference Court vide its award dated 04.12.2015.

Dis-satisfied with the Award passed by the learned Reference Court, the present appeals were preferred at the instance of landowners as well as respondent/State of Haryana.

[5]. Learned counsel for both the parties are *ad idem* that this Court vide its decision dated 27.05.2016 passed in RFA No.5316 of 2014 titled ‘*Pushpender Kumar and others vs. State of Haryana and another*’, determined the market value for different villages in the following manner:-

Sr. No	Village	Land Acquire d (in acres)	Value assessed by the LAC (Figures in Lacs)	Reference Court in (Figures in Crores)	Hon’ble High Court (Figures in Crores)
1	HAYATPUR	143.56	60,00,000/- Per Acre	1,77,71,110 Per Acre	3,52,00,000 Per Acre
2	SHIKOHPUR	39.02	60,00,000/- Per Acre	12,10,70,693 Per Acre	16,89,35,120 Per Acre
3	SIKANDERPUR BADDHA	45.92	60,00,000/- Per Acre	1,29,21,393 Per Acre	2,06,97,600 Per Acre
4	BADHA	126.89	60,00,000/- Per Acre	1,81,01,217 Per Acre	3,75,70,419 Per Acre
5	BHANGROLA		50,00,000/- Per Acre	88,25,208 Lacs Per Acre	1,81,44,000 Per Acre
6	KANKROLA	64.39	60,00,000/- Per Acre	1,06,48,000 Per Acre	2,24,97,003 Per Acre
7	NAKHROLA	23.075	60,00,000/-	1,47,03,212	2,88,14,349

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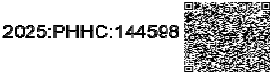
			Per Acre	Per Acre	Per Acre
8	MEWKA	44.84	60,00,000/- Per Acre	1,23,95,226 Per Acre	2,54,06,080 Per Acre
9	DHORKA	64.39	60,00,000/- Per Acre	1,39,87,202 Per Acre	2,92,98,240 Per Acre
10	NAHRPUR KASAN	16.8875	38,00,000/- Per Acre	1,09,43,525 Per Acre	2,30,83,872 Per Acre
11	WAZIRPUR	45.77	45,00,000/- Per Acre	1,18,25,000 Per Acre	2,55,89,760 Per Acre
12	NAWADA FATEHPUR	82.48	60,00,000/- Per Acre	1,48,86,729 Per Acre	2,48,64,000 Per Acre
13	SIHI	32.98	60,00,000/- Per Acre	3,33,78,186 Per Acre	7,02,70,659 Per Acre

[6]. Aggrieved thereof, the respondent/State of Haryana preferred appeals before the Hon’ble Apex Court. Vide decision dated 05.09.2017, the Hon’ble Apex Court in Civil Appeal Nos.11814-11864 of 2017 titled ‘*State of Haryana & Ors. etc. vs. Ram Chander & Anr. etc.*’, re-determined the market value by applying deduction of 15% towards development cost(s) on the determination made by this Court. Para No.10 of the aforementioned decision is extracted hereunder:-

“10. In our opinion, the deduction of 15% towards development would have been sufficient, which out to have been made in the instant cases, in the peculiar facts of the case, considering the potentiality of the area in question and the development which has taken place all around. This order not to be treated as a precedent in any other case. Thus, we modify the determination made by the High Court to the above extent only. Let deduction be made accordingly.”

[7]. In view of aforesaid, all the present Regular First Appeals are disposed of and the landowners shall be entitled for award of market value as determined by this Court vide decision dated 27.05.2016 passed in RFA No.5316 of 2014 (supra) read with decision rendered by the Hon’ble Apex Court on 05.09.2017 (supra) by applying 15% cut towards development cost(s) on the determination made by this Court as extracted in the preceding part of the

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judgment. In addition, the landowners are also held 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.

[8]. 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.

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

October 16, 2025
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(HARKESH MANUJA)
JUDGE

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