

2026:PHHC:050546



RFA Nos.1881 of 2002 (O&M) with other connected cases

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

117 (19 cases)

RFA No.1881 of 2002 (O&M)
with other 18 connected cases
Date of Decision: 01.04.2026

STATE OF HARYANA AND ORS.

.....Appellants

Vs

KRISHAN

...Respondent(s)

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

Present: Mr. Abhinash Jain, D.A.G., Haryana
for the appellant(s)/State.

None for the respondent.

HARKESH MANUJA, J. (Oral)

[1]. Vide this common order, the present appeals bearing RFA Nos.1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 2259 and 3200 of 2002 (O&M) are being decided as all these appeals have arisen out of common acquisition and involve identical facts and questions of law. For the sake of brevity, facts are being taken from RFA No.1881 of 2002.

[2]. By way of present appeal, challenge has been laid to an Award dated 26.02.2002 passed by the learned Addl. District Judge, Hisar (hereinafter to be referred as the 'Reference Court').

[3]. Briefly stating, in the present case(s), 4.03 acres of land, which on demarcation was later found 3.94 acres, situated within the revenue estate of village Lohari Ragho, Tehsil Narnaund, District Hisar, was acquired vide



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Notifications dated 30.12.1996 and 19.08.1997 issued under Sections 4 & 6 of the Land Acquisition Act, 1894 (for short the '1894 Act') respectively, for the public purpose, namely *"for construction of missing link road between Datta Lohari and Sisai Lohari road"*. Award under Section 11 of the 1894 Act was passed by the Land Acquisition Collector (for short 'the LAC') on 21.04.1999, whereby market value of the acquired land was assessed @ Rs.1,25,000/- per acre along with all other statutory benefits and interests provided under the 1894 Act.

[4]. Dissatisfied with the Award passed by the LAC, the respondent(s)/landowner(s) invoked Reference under Section 18 of the 1894 Act, which came to be partly allowed by the learned Reference Court vide its award dated 26.02.2002, while granting them enhanced compensation @ Rs.2,08,000/- per acre besides awarding all other statutory benefits/interest in their favour under the 1894 Act. Aggrieved thereof, the present appeals were preferred at the instance of the appellants/State.

[5]. Impugning the aforesaid Award, learned State counsel submits that the learned Reference Court went wrong while discarding the sale instances produced by the appellant/State in the form of Ex.R-1 to Ex.R-3. Learned State counsel further submits that the learned Reference Court erred having relied upon the sale instance dated 10.05.1996 (Ex.P-1) vide which 08 Kanals of land was sold for Rs.2,18,000/-. Learned State counsel also contends that since the comparative location of the land forming part of the aforementioned sale instance (Ex.P-1) viz-a-viz the acquired land was not established on record, the same could not have been taken into account for the purpose of determination of market value in the

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present case(s). He, therefore, prays that the impugned judgment by the learned Reference Court to be set aside and the Award passed by the LAC be restored.

[6]. No one has put in appearance on behalf of the respondent. I have heard learned State counsel and gone through the paper book as well as records of the case(s). I am unable to find substance in the submissions made on behalf of the appellants/State.

[7]. At the first instance, it may be relevant to take note of the sale instances produced and proved on record by both the parties in support of their claims. The details thereof are extracted hereunder:-

Sale deeds produced by the respondent(s)/landowner(s)				
Exhibit	Date of sale	Area sold	Rectangle/Killa Nos.	Sale consideration
Ex.P-1	10.05.1996	8 Kanals	Rect.250, Killa 3/3 and 8	Rs.2,18,000/-
Ex.P-2	19.05.1998	8 Kanals	Rect.80, Killa 5	Rs.2,53,000/-
Sale deeds produced by the appellant(s)/State				
Ex.R-1	06.01.1995	8 Kanals	Rect.233, Killa 24	Rs.80,000/-
Ex.R-2	16.06.1997	20 Kanals	Rect.253, Killa 3 min 1 & 2	Rs.2,38,000/-
Ex.R-3	01.07.1997	8 Kanals	Rect. 112, Killa 14	Rs.1,00,000/-

[8]. From the above chart, it can be discerned that the sale instances produced by appellants/State in the form of Ex.R-2 and Ex.R-3 and the sale instance produced by the respondent(s)/landowner(s) as Ex.P-2 pertained to period post notification under Section 4 of the 1894 Act, thus, need not to be relied upon. Furthermore, sale instance Ex.R-1 produced by the appellants/State also needs to



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be discarded as vide the aforesaid, 08 kanals of land was sold for Rs.80,000/- whereas the LAC itself assessed the market value of the acquired land @ Rs.1,25,000/- per acre. Once as per the wisdom of the Collector, which was based on the accredited material made available by the revenue authorities, the value of the acquired land was higher than that reflected in the sale deed Ex.R-1 with difference of almost 2/3rd of the sale price as assessed by the LAC, the same cannot to be treated as *bonafide* sale transactions for the purpose of determination of market value of the case(s) in hand and thus, cannot be relied upon.

[9]. As regards the sale instance dated 10.05.1996 (Ex.P-1) produced by the respondent(s)/landowner(s), vide which 08 Kanals (01 acre) of land forming part of the very same revenue estate of village Lohari Ragho, Tehsil Narnaund, District Hisar was sold for Rs.2,18,000/-, being prior to the date of Notification under Section 4 of the 1894 Act with close proximity in time; the learned Reference Court rightly relied upon the same for assessment of market value in the present case(s). Subsequently, the learned Reference Court even applied a suitable deduction of Rs. 10,000/- per acre thereupon, on account of locational and geographical difference of the land parcel therein vis-a-vis the acquired land; as such in the given facts and circumstances, the learned Reference Court appropriately awarded a sum of Rs.2,08,000/- per acre in favour of the respondent(s)/landowner(s) being just and fair market value.

[10]. In view of above, the re-assessment made by the learned Reference Court while relying upon sale exemplar dated 10.05.1996 (Ex.P-1) cannot be said to be unjustified or unfair. The learned Reference Court, thus having passed the award based on proper appreciation of material evidence available on record,

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therefore, calls for no interference in the present appeals, as such all the appeals are found to be devoid of merit and thus, dismissed.

- [11]. Pending application(s), if any, shall also stand disposed of.
- [12]. A photocopy of this order be placed on the files of all other connected cases.

April 01, 2026
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No