

2026:PHHC:050556



RFA Nos.109 of 2000 (O&M) with other connected cases

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

113 (09 cases)

RFA No.109 of 2000 (O&M)
with other 08 connected cases
Date of Decision: 01.04.2026

MANGTU

.....Appellant

Vs

THE STATE OF HARYANA AND ANR.

...Respondent(s)

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

Present: Mr. Deepak Grover, Advocate
for the appellant(s).

Mr. Abhinash Jain, D.A.G., Haryana.

HARKESH MANUJA, J. (Oral)

[1]. Vide this common order, the present appeals bearing RFA Nos.109, 110, 111, 112, 113, 207, 208, 209 and 210 of 2000 (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.109 of 2000.

[2]. By way of present appeal, challenge has been laid to the Award dated 26.10.1999 passed by the learned Addl. District Judge, Faridabad (hereinafter to be referred as the 'Reference Court').

[3]. Briefly stating, in the present case(s), land measuring 14.98 acres situated within the revenue estate of village Mandkola, Hadbast No.217, Tehsil Hathin, District Faridabad, came to be acquired vide Notifications dated 05.12.1995 and 25.01.1996 issued under Sections 4 & 6 of the Land Acquisition Act, 1894 (for short the '1894 Act'), respectively for the public purpose namely



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“for construction of *Dabalu Minor*”. Award under Section 11 of the 1894 Act was passed by the Land Acquisition Collector (for short ‘the LAC’) on 27.06.1996, whereby market value of the acquired land was assessed @ Rs.54,478/- per acre for *chahi* land, Rs.53,300/- per acre for *Narmot* land and Rs.1,85,399/- per acre for *Gair Mumkin* land along with all other statutory benefits and interests provided under the 1894 Act.

[4]. Dissatisfied with the Award passed by the LAC, the appellant(s)/landowner(s) invoked Reference under Section 18 of the 1894 Act, which were dismissed by the learned Reference Court vide its decision dated 26.10.1999. Aggrieved thereof, the present appeals were preferred at the instance of appellant(s)/landowner(s).

[5]. Impugning the aforesaid Award, learned counsel for the appellant(s)/landowner(s) submits that the learned Reference Court went wrong having discarded the sale deed dated 18.02.1986 (Ex.P-3) vide which 01 marla of land was sold for Rs.25,000/- with the base price of Rs.40,00,000/- per acre. Learned counsel further submits that once the sale instance pertaining to the same very revenue estate of village Mandkola was available, the learned Reference Court ought to have taken into consideration the same for the purpose of assessing the market value in the case(s) in hand.

[5.2]. Learned counsel also points out that for the time gap between the sale instance dated 18.02.1986 (Ex.P-3) till the date of issuance of notification under Section 4 of the 1894 Act in the case(s) in hand, the appellant(s)/landowner(s) were entitled for award of suitable appreciation. He thus, submits that the market value was required to be enhanced in favour of the appellant(s)-landowner(s).

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[6]. On the other hand, learned State counsel submits that there was no illegality or perversity with the decision passed by the learned Reference Court for having discarded the sale instance dated 18.02.1986 (Ex.P-3) as the same pertained to merely 01 Marla of land, whereas the acquired land was measuring 14.98 acres.

[6.1]. Learned State counsel further submits that the appellant(s)/landowner(s) failed to place on record any evidence so as to call for any kind of appreciation over the land value during the intervening period between the relied upon sale instance and the date of notification under Section 4 of the 1894 Act in the case(s) in hand. He thus, contends that a well-reasoned and justified Award was passed by the learned Reference Court after due consideration of the pleadings and the evidence available on record, which calls for no interference. Accordingly, prayer is made for dismissal of the present appeal(s) preferred at the instance of the appellant(s)/landowner(s).

[7]. I have heard learned counsel for the parties and gone through the paper book as well as records of the case(s). I find substance in the submissions made on behalf of the appellant(s)/landowner(s).

[8]. In the present case, land measuring 14.98 acres forming part of revenue estate of village Mandkola, Hadbast No.217, Tehsil Hathin, District Faridabad was acquired. In order to support their claims, the appellant(s)/landowner(s) produced and proved on record the certified copy of sale deed dated 18.02.1986 (Ex.P-3) against which 01 marla of land was sold for Rs.25,000/- with the base price of Rs.40,00,000/- per acre. Thus, in terms of Section 51-A of the 1894 Act, the said sale deed (Ex.P-3) was required to be taken into consideration as a valid piece of evidence.



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[9]. Admittedly, the sale exemplar dated 18.02.1986 (Ex.P-3) pertains to small parcel of land measuring 01 marla and comparative location of the land forming part of the said sale exemplar viz-a-viz. the acquired land has not been established on record. However, taking into account the fact that the present appeal is against determination/re-assessment of market value of the acquired land forming part of a revenue estate and not of any town or city, the sale exemplar dated 18.02.1986 (Ex.P-3) needs to be taken into account by applying suitable deduction on the base price per acre derived from it.

[10]. As rightly pointed out by learned State counsel, no evidence has been led by the appellant(s)/landowner(s) to establish any kind of appreciation towards market value of the acquired land forming part of revenue estate of village Mandkola for the time gap between the sale exemplar dated 18.02.1986 (Ex.P-3) upto the date of notification under Section 4 of the 1894 Act in the case(s) in hand, as such no appreciation needs to be granted in favour of the appellant(s)/landowner(s). However, considering the fact that the sale exemplar pertains to a small parcel of land measuring 01 marla and comparative location of the land therein viz.-a-viz. the acquired land has not been established on record, a suitable deduction @ 80% needs to be applied over the base price of Rs.40,00,000/- per acre derived from the said sale exemplar and the market value of the acquired land thus, comes to Rs.8,00,000/- per acre.

[11]. In the given facts since the acquisition in the case(s) in hand was carried out for the public purpose namely “*for construction of Dabalu Minor*” as such, the respondents neither suffered any loss towards optimum utilization of the area acquired nor did incur expenditure towards providing of additional



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infrastructural amenities, thus no cut towards development costs needs to be imposed.

[12]. Accordingly, the market value for the land under acquisition is assessed @ Rs. Rs.8,00,000/- per acre as on the date of notification under Section 4 of the 1894 Act. In addition, the landowners shall also be entitled for award of all statutory benefits and interest as provided under the provisions of the 1894 Act (amended upto date). The landowners shall also be entitled for solatium @ 30% besides award of interest thereupon.

[13]. Consequently, in view of the discussion made herein above, all the appeals preferred at the instance of appellant(s)-landowner(s) are hereby partly allowed in the aforesaid terms.

[14]. 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.

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

[16]. A photocopy of this order be placed on the files of other connected cases.

April 01, 2026
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(HARKESH MANUJA)
JUDGE

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