

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RFA-3148-1998 (O&M)
Date of Decision: 07.05.2026

Sawan Singh (Since deceased) through LR's and ors.
.....Appellants

Versus

State of HaryanaRespondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: None for the appellants.

Mr. Jagdish Manchanda, Addl.A.G., Haryana with
Mr. Abhinash Jain, DAG, Haryana.

-. -

HARKESH MANUJA, J. (ORAL)

By way of present appeal, challenge has been laid to the Award dated 01.04.1998 passed by the learned Addl. District Judge, Kurukshetra (hereinafter to be referred as the '**Reference Court**').

2. Briefly stating, in the present case, land measuring 3.75 acres situated within the revenue estate of Village Untsal, Tehsil Thanesar, District Kurukshetra was acquired vide Notifications dated 22.09.1986 (published on 28.10.1986) and 25.06.1987 (published on 25.08.1987) issued under Sections 4 & 6 of the Land Acquisition Act, 1894 (for short the '**1894 Act**') respectively, for the public purpose, namely, "*for the construction of road Kaulapur to Marchaheri*". Award under Section 11 of the 1894 Act was passed by the Land Acquisition Collector (for short '**the LAC**') on 21.03.1988, thereby determining the

market value of the acquired land @ Rs.48,000/- per acre for Chahi and Rs.24,000/- per acre for Gair Mumkin land besides award of all other statutory benefits including solatium @ 30% and interest provided under the 1894 Act.

3. Dissatisfied with the Award passed by the LAC, appellants/landowners invoked Reference under Section 18 of the 1894 Act, which came to be partly allowed by the learned Reference Court vide its decision dated 01.04.1998, while granting enhanced compensation at a uniform rate of Rs.48,000/- per acre besides awarding all other statutory benefits/interest in their favour under the 1894 Act. Aggrieved thereof, the present appeal was preferred at the instance of appellants/landowners.

4. No one has chosen to appear on behalf of appellants/landowners. I have heard learned State counsel and gone through the contents of the paper-book as well as records.

5. In the present case, the learned Reference Court awarded market value at a uniform rate of Rs.48,000/- per acre in favour of the appellants/landowners on the basis of the material available on record. The prayer made in the present appeal for further enhancement of market value cannot be accepted, as the present acquisition pertains to the revenue estate of Village Untsal, whereas the sale instances in the form of Ex.P1 to Ex.P4 relied upon by the appellants/landowners relate to different villages, namely, Bangra, Kaulapur, Rampur and Marchahen. Moreover, there is no

evidence available on record to establish the proximity or comparability between the land parcels forming part of Ex.P1 to Ex.P4 *vis-à-vis* the acquired land.

6. No other evidence was adduced by the appellants/ landowners to substantiate the plea of enhancement of the market value in the case in hand. It is well-settled that determination of market value in land acquisition matters must be based on tangible evidence such as comparable sale instances or other credible material and cannot rest on mere speculation. In such circumstances, where the parties were not able to place on record any cogent and reliable evidence warranting any interference with the assessed market value, this Court would not be justified in enhancing compensation merely on the basis of conjectures, surmises, or hypothetical assumptions.

7. As such, in the wake of the discussion made hereinabove, the present appeal(s) being devoid of merits, are hereby dismissed and the award passed by the learned Reference Court is upheld which is based on proper appreciation of evidence and the material available on record.

8. Pending misc. application(s), if any, shall also stands disposed of.

07.05.2026
sanjay

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned?
Whether Reportable?

Yes/No
Yes/No