

RFA No.2484 of 1999 (O&M)

2026:PHHC:038060



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

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RFA No.2484 of 1999 (O&M)
Date of Decision: 11.03.2026

STATE OF HARYANA AND ANR.

.....Appellants

Vs

SMT. RAJ KUMARI AND ORS.

...Respondent(s)

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

Present: Mr. Abhinash Jain, D.A.G., Haryana
for the appellants.

Mr. Shailendra Jain, Sr. Advocate with
Ms. Ruchi Jain, Advocate
for the respondents.

HARKESH MANUJA, J. (Oral)

[1]. By way of present appeal, challenge has been laid to the Award dated 12.03.1999 passed by the learned Addl. District Judge, Hisar (hereinafter to be referred as the 'Reference Court').

[2]. Briefly stating, in the present case(s), some land owned by the respondents/landowners situated within the revenue estate of village Hisar, Tehsil and District Hisar, came to be acquired vide Notifications dated 30.01.1973 and 24.07.1973 issued under Sections 4 & 6 of the Land Acquisition Act, 1894 (for short the '1894 Act') respectively for the public purpose, namely, *for "development of an Urban Estate at Hisar"* followed by Award under Section 11 of the 1894 Act passed by the Land Acquisition Collector (for short 'the LAC') on 05.09.1973, whereby the acquired land was divided into blocks and market value thereof was assessed @ Rs.20,000/- per acre for Block A, Rs.12,000/- per acre for

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Block B and Rs.8000/- per acre for Block C along with all other statutory benefits and interests provided under the 1894 Act.

[3]. Dis-satisfied with the Award passed by the LAC, the respondents/landowners though did not file any objection under Section 18 of the 1894 Act, however some other landowners relating to the same acquisition, invoked Reference under Section 18 of the 1894 Act, which came to be partly allowed by the learned Reference Court vide its award dated 20.01.1986 passed in Reference Petition No.1-L.A. of 30.06.1982/22.10.1981 titled '*Kulbhushan Vs. State of Haryana & another*' thereby assessing the market value @ Rs.42.50 paisa per sq. yard besides award of all other statutory benefits/interest under the 1894 Act. Based thereupon, the respondents/landowners herein preferred application under Section 28(A) of the 1894 Act before the LAC on 17.04.1986, however the same came to be dismissed on 10.11.1995.

[4]. Aggrieved thereof, the respondents/landowners sought reference under Section 28-A(3) of the 1894 Act which was decided on 12.03.1999 and the respondents/landowners were granted the benefit of similar enhancement of market value @ Rs.42.50 paisa per sq. yard along with all other benefits/interest as provided under the amended provisions of 1894 Act except the benefit under Section 23(1-A) thereof as assessed in case of '*Kulbhushan Vs. State of Haryana & another*' (supra). Against the said order, the present appeal was preferred at the instance of the appellants/State of Haryana.

[5]. I have heard learned counsel for the parties and gone through the paper book as well as records of the case.



[6]. It may be noticed here that the determination of market value @ Rs.42.50 paisa per sq. yard made by the learned Reference Court in case of *‘Kulbhushan Vs. State of Haryana & another’* (supra) was upheld by this Court vide order dated 09.12.1988 passed in RFA No.1565 of 1986. Further, a perusal of the records shows that in the present case application preferred at the instance of the respondents/landowners in terms of Section 28-A of the Land Acquisition Act, 1894 was within the specified statutory period of 90 days of the Award dated 20.01.1986 passed by the learned Reference Court in favour of other landowners relating to the same acquisition and thus, no merit can be found with the present appeal, as the respondents/landowners were appropriately awarded the enhancement of similar market value of Rs.42.50 paisa per sq. yard along with all other benefits/interest as provided under the amended provisions of 1894 Act except the benefit under Section 23(1-A) of the 1894 Act.

[7]. In such circumstances, finding no illegality or perversity, no reason is made out for interference with the impugned Award passed by the learned Reference Court. The present appeal is, therefore, dismissed being devoid of merits. The amount of compensation granted in terms of the Award dated 12.03.1999, if not released in favour of the respondents/landowners be immediately disbursed to them at the earliest.

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

March 11, 2026
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(HARKESH MANUJA)
JUDGE

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