

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****RFA-806 -2022 and other connected matters****Reserved on: 09.02.2026****Date of decision: 10.02.2026****State of Haryana and another**

...Appellants

Versus

Ripudaman @ Rohit and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Argued by: Mr. Govind Rana, Advocate
for the appellant in RFA-3666-2019.

Mr. Anil Kumar Rana, Advocate
for the appellant in RFA-1209-2021,
RFA-129-2022 and RFA-2333-2021.

Mr. Aditya Jain, Advocate for the appellant in
RFA-2255-2018.

Mr. Ashwani Gaur, Advocate for the appellant in
RFA-2530-2018.

Mr. Rohan Moudgil, Advocate for
Mr. Sandeep Sharma, Advocate
for the appellant in RFA-3533-2018.

Mr. Aditya Jain, Advocate for the appellants in
RFA-992 & 998 of 2023.

Mr. Gaurav Garg, AAG, Haryana.

DEEPAK GUPTA, J. (ORAL)

This common order shall dispose of fifteen Regular First Appeals, as tabulated below filed under section 54 of the Land Acquisition Act 1894, as all of them arise out of the same acquisition proceedings. Five appeals, namely RFA-806-2022, RFA-2589-2018, RFA-2859-2018, RFA-2872-2018 and RFA-4630-2018, have been filed by the State of Haryana; whereas the remaining appeals have been preferred by the landowners. The appeals emanate from

different awards passed by the reference Court Gurugram, pertaining to land of villages Gadoli Khurd, Gadoli Kalan and Basai, Tehsil and District Gurugram on various dates, but all pertain to land acquired under the same notification and involve determination of market value of the acquired land.

Sr. No.	RFA No.	Appellants	LA Case No.	Date of decision of Reference Court
1	806-2022	State of Haryana and another Vs. Ripudaman @ Rohit and another	621/2017	29.10.2021
2	1209-2021	Ashok Kumar Vs. State of Haryana and another	1308/2017	06.02.2020
3	129-2022	Hari Kishan (since deceased) through his LRs Vs. State of Haryana and another	1309/2017	06.02.2020
4	167-2022	Ripudaman @ Rohit and another Vs. State of Haryana and another	621/2017	29.10.2021
5	2255-2018	M/s Oxygen Realtors Private Limited Vs. State of Haryana and others	71/2017	04.12.2017
6	2530-2018	M/s Prime I.T. Solution Pvt. Ltd Vs. State of Haryana and another	618/2015	20.11.2017
7	2333-2021	Ved Parkash Vs. State of Haryana and another	1307/2017	06.02.2020
8	2589-2018	State of Haryana and another Vs. Sanjeev and another	83/2016	04.12.2017
9	2859-2018	State of Haryana and another Vs. M/s Prime I.T. Solution Pvt. Ltd	618/2015	20.11.2017
10	2872-2018	State of Haryana and another Vs. M/s Oxygen Realtors Private Limited	71/2017	04.12.2017
11	3533-2018	Smt. Neelam Vs. State of Haryana and others	66/2016	22.03.2018
12	3666-2019	Smt. Kastoori Vs. State of Haryana and another	54/2016	02.04.2019
13	4630-2018	State of Haryana and another Vs. Smt. Neelam and another	66/2016	22.03.2018
14	992-2023	Deepak and others Vs. State of Haryana and others	434/2016	19.07.2022
15	998-2023	Sulebhan (since deceased) through his LRs and others Vs. State of Haryana and others	433/2016	19.07.2022



2. The record reveals that vide notification dated 25.05.2010 issued under Section 4 of the Land Acquisition Act, 1894, the State of Haryana proposed to acquire land situated in villages *Gadoli Khurd, Gadoli Kalan and Basai*, Tehsil and District Gurugram, for development and utilisation of the land for residential Sector 37-C, Gurugram. The declaration under Section 6 of the Act was published on 24.05.2011. The Land Acquisition Collector passed Award No.36 dated 30.01.2013 in respect of land measuring 66.39 acres in village Gadoli Khurd; and Award No.35 of the same date for land measuring 1.76 acres in village Gadoli Kalan, assessing the market value at ₹1,25,00,000/- per acre. Another Award No.33 dated 30.01.2013 was passed for land measuring 81.47 acres situated in village Basai, fixing the market value at ₹1,50,00,000/- per acre.

3. Dissatisfied with the compensation awarded by the Land Acquisition Collector, the landowners sought references under Section 18 of the Act. The reference Court, by different awards passed on different dates, enhanced the market value of land situated in villages Gadoli Khurd and Gadoli Kalan to ₹1,90,40,000/- per acre, and that of land situated in village Basai to ₹2,62,08,000/- per acre. Still aggrieved, both the State and the landowners approached this Court.

4. It is an admitted position that a Co-ordinate Bench of this Court, vide judgment dated 18.10.2022 passed in a bunch of appeals led by *RFA-1528-2018 titled "Raj Kumari (deceased) through LRs and another vs. State of Haryana and others"*, assessed the market value of the acquired land situated in all the three villages at ₹3,27,06,044/- per acre, along with all statutory benefits. The present appeals, though arising out of the same acquisition, were not included in that batch.

5. In the appeals filed by the landowners, prayer has been made for enhancement of compensation in terms of the aforesaid judgment dated 18.10.2022, whereas in the five appeals filed by the State, reduction of the market value as determined by the reference Court has been sought.



6. Learned State counsel has fairly conceded that the present appeals are squarely covered by the judgment dated 18.10.2022, though it has been pointed out that the State has challenged the said judgment before the Hon'ble Supreme Court.

7. Once it is conceded that the present appeals arise out of the same acquisition and are covered by the earlier judgment of this Court, the principle of parity necessarily applies. Landowners, whose lands have been acquired under the same notification and for the same public purpose, cannot be treated differently. In the absence of any distinguishing feature, uniform compensation is required to be awarded to all landowners.

8. In four appeals, namely RFA-2589-2018, RFA-2859-2018, RFA-2872-2018 and RFA-4630-2018, all filed by the State, applications have been filed seeking condonation of delay in filing the appeals. The delay in these cases is not substantial and stands satisfactorily explained. Accordingly, the delay is condoned.

9. Coming to **RFA-806-2022**, the State has raised an objection regarding limitation in seeking the reference under Section 18 of the Act. The reference Court has recorded a categorical finding that although the award was passed on 30.01.2013, no evidence was produced by the State to show that any notice under Section 9 or Section 12(2) of the Act was served upon the landowners. It was further found that the compensation amount was credited to the bank account of the landowners on 24.10.2014, and the reference was sought on 11.11.2014, i.e. within the statutory period from the date of knowledge. The reference Court relied upon the settled legal position laid down by the Hon'ble Supreme Court in **Harish Chander Raj Singh vs. Deputy Land Acquisition Officer AIR 1961 SC 1500; Orissa Industrial Infrastructure Development Corporation vs. Supai Munda & Others 2004 (1) RCR (Civil) 311** and other precedents. Learned State counsel has failed to point out any perversity or illegality in these findings.

10. A similar objection regarding limitation has been raised by the State in **RFA-4630-2018**. In that case also, the reference Court found that al-



though the award was passed on 30.01.2013, the compensation cheques were issued only on 09.05.2015, and the reference was filed on 04.06.2015, well within the limitation period reckoned from the date of knowledge. The State again failed to establish service of any statutory notice or actual or constructive knowledge of the landowners prior thereto. The view taken by the reference Court is in consonance with settled law and warrants no interference.

11. As regards the objection raised by the State in other appeals relating to grant of statutory benefits, the same is wholly untenable. Once the market value is judicially determined, the landowners are automatically entitled to all statutory benefits under Sections 23(1-A), 23(2) and 28 of the Land Acquisition Act. There is no discretion with the Court to deny such benefits.

12. In view of the foregoing discussion, all five appeals filed by the State of Haryana are dismissed. The appeals filed by the landowners are allowed, and it is held that the market value of the acquired land pertaining to them shall be ₹3,27,06,044/- per acre, along with all statutory benefits, in terms of the judgment dated 18.10.2022 passed in a bunch of appeals led by *RFA-1528-2018 titled "Raj Kumari (deceased) through LRs and another vs. State of Haryana and others"*, subject to final outcome of SLP, If any pending before Hon'ble Supreme Court. However, landowners who filed delayed appeals, shall not be entitled to interest for the period of delay alone.

13. Accordingly, all the fifteen Regular First Appeals stand disposed of in the above terms.

10.02.2026

Yogesh

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No

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