

2026.PHHC.027420

**109****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****RFA-3619-2001 (O&M) and other connected cases****Date of Decision: February 20, 2026****STATE OF HARYANA**

.....Appellant

Versus

RAM KANWAR AND ORS.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Abhinash Jain, DAG, Haryana.

Mr. Mohit Rana, Advocate for respondent(s).

Mr. Anil Ghanghas, Advocate for respondents
in RFA-3619 and 3620 of 2001.

HARKESH MANUJA, J. (ORAL)

Vide this common order, a batch of 3 connected Regular First Appeals shall stand disposed of, details whereof are mentioned in the footnote of the judgment. For convenience, the facts are drawn from RFA-3619-2001.

2. By way of present appeal(s), challenge has been laid to the judgment dated 01.05.2001 passed by the learned Additional District Judge, Gurgaon (for short 'Reference Court') whereby the reference petition filed under Section 18 of the Land Acquisition Act, 1894 (hereinafter referred to as 'the Act') by the respondent (s)-landowner(s), seeking enhancement of compensation was partly allowed.

3. Briefly stating, land measuring 6.43 acres, situated within the revenue estate of Village Sehjawas, Tehsil and District Gurgaon, was acquired for the public purpose, namely, for construction of road from

Bhondsi to Behlpa via Sehjas vide notifications dated 03.12.1980 and 02.02.1981 issued under Sections 4 and 6 respectively of the Act. The Land Acquisition Collector (for short 'LAC') passed Award No.54G dated 05.03.1981 assessing the market value at the rate of Rs.9,000/- per acre for *Chahi* and *Gair Mumkin Garhi Khad* land, Rs.4,000/- for *Gair Mumkin Bundh* land along with other statutory benefits.

4. Aggrieved of the aforesaid award, the landowner sought reference under Section 18 of the Act pleading that the acquired land was situated within village abadi and in close proximity to Delhi Alwar road, and thus, the price thereof was not less than Rs.1,00,000/- per acre.

5. Upon notice, the same was contested by the appellant-State by way of filing written statement wherein it was pleaded that the value of the acquired land was rightly assessed by the LAC having taken into consideration the potential advantage attached to it as well as considering the prevailing rates at that time.

6. On the basis of pleadings of the parties, the following issues were framed by learned Reference Court:-

- "1. What was the market value of the acquired land on the date of notification under Section 4 of the Land Acquisition Act? OPP*
- 2. Whether the petitioners are entitled to enhanced compensation. If so, to what extent? OPP*
- 3. Relief."*

7. After considering the evidence, the learned Reference Court, vide award dated 01.05.2001 enhanced the amount of compensation to Rs.29,475/- per acre.

8. I have heard learned counsel for the parties and gone through the paper-book. I am unable to find substance in the submission made on behalf of the appellant-State.

9. A perusal of record shows that reliance has been placed by the learned Reference Court upon the sale deed dated 12.06.1979 (Ex.P-2) which related to the same revenue estate of village Sehjawas. Vide this sale deed 19 marlas of land was sold for Rs.3,500/- with base price per acre of Rs.29,475/-. The sole contention raised on behalf of the appellant-State is that the sale exemplar Ex. P-2 though pertaining to the same revenue estate of village Sehjawas pertained to a small piece of land measuring 19 marlas whereas, the acquisition in the present case was for 6.43 acres and thus, an appropriate deduction was required to be applied.

10. In the humble opinion of this Court in the given facts and circumstances, it may not be necessary to apply deduction towards smallness of area involved in the sale instance Ex.P-2 dated 12.06.1979 especially, when the respondent-landowners were not awarded any appreciation by the learned Reference Court over the sale price per acre derived from the sale instance Ex.P-2 for the time gap between the said sale transaction dated 12.06.1979 up to the date of notification issued under Section 4 of the Act in the case in hand which was published on 09.12.1980.

11. In such circumstances, the equities been balanced by the learned Reference Court, no interference is called for with the impugned award dated 01.05.2001, the same being based on proper appreciation of the evidence and the material available on record.

12. In the given facts, since the land was acquired for public purpose namely for construction of road from Bhondsi to Behlpa, the State did not suffer any loss of land or expense towards providing of additional infrastructural amenities like parks, roads, green belts or community building etc, no cut towards development cost needs to be applied.

13. In view of the aforesaid circumstances, the present appeals are thus, dismissed.

20.02.2026
Tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No

Other Connected cases
RFA-3698-2001
RFA-3620-2001