



108

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA-5708-2001 and other connected cases

Date of Decision: May 04, 2026

THE STATE OF HARYANA AND ANR.

.....Appellants

Versus

MIR SINGH AND ORS.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Abhinash Jain, DAG, Haryana.

Mr. Tarun Yadav, Advocate for respondent No.4
in RFA-5710-2001.

HARKESH MANUJA, J. (ORAL)

Vide this common order, a batch of three Regular First Appeal(s) and a cross-objection shall stand disposed of, details of which are mentioned in the footnote of the judgment. For convenience, the facts are culled out from RFA-5708-2001.

2. By way of present appeal(s), challenge has been laid to the judgment dated 20.09.2001 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 respondents-landowners, seeking enhancement of compensation was partly allowed.

3. Briefly stating, certain land, situated within the revenue estate of Village Manesar, Tehsil and District Gurgaon was acquired for the public purpose, namely, "*for construction of road from Delhi-Jaipur road to Village Nainwal in Gurgaon*" vide notifications dated 08.08.1980 (published on 26.08.1980) and 16.11.1980 (published on 02.12.1980)

issued under Sections 4 and 6 respectively of the Act. The Land

Acquisition Collector (for short '**the LAC**') passed Award No.42-G dated 31.01.1981 assessing the market value at the rate of Rs.12,000/- per acre for *Chahi* land, Rs.6,000/- for *Bhur* land and Rs.1,000/- per acre for *Banjar Qadim* land along with other statutory benefits.

4. The respondents-landowners, feeling dissatisfied with the award, sought reference under Section 18 of the Act while pleading that the price of acquired land was not less than Rs.2,00,000/- per acre and the compensation awarded by the LAC was significantly lesser than the market value of the land.

5. Upon notice, the same was contested by the appellant-State by way of filing separate written statements wherein it was pleaded that the compensation awarded by the LAC was fair and adequate as the same was assessed while taking into consideration all the relevant factors.

6. Upon framing of issues and after considering the evidence led by both the parties, the learned Reference Court, vide award dated 20.09.2001 enhanced the amount of compensation to Rs.20,600/- per acre irrespective of the nature of acquired land.

7. Aggrieved of the aforesaid award dated 20.09.2001 passed by the learned Reference Court, the appeals(s) were preferred at the instance of appellant-State whereas cross objection(s) were filed at the instance of respondents-landowners.

8. I have heard learned counsel for the parties and gone through the paper-book.

9. Though, the respondents-landowners produced three sale instances in the form of Exs. P-1 to P-3, claiming enhancement of the market value, however, the sale instances Exs.P-2 and P-3 being

registered on 04.08.1981 and 27.10.1980 respectively pertained to the period post notification under Section 4 of the Act in the case(s) in hand and therefore, were rightly discarded by the learned Reference Court.

10. Moreover, the sale deed Ex.P-1 dated 13.09.1977, pertaining to 7 kanals 19 marlas of land forming part of same revenue estate of village Manesar was sold for a sum of Rs.15,000/- with base price of Rs.19,054/- per acre whereupon the learned Reference Court applied appreciation @12% per annum for the time gap between the sale instance Ex.P-1 dated 13.09.1977 up to the date of notification under Section 4 of the Act, and thus, arrived at the conclusion that the market value of the acquired land as on the date of notification under Section 4 of the Act in the case(s) in hand was Rs.20,527.84(rounded off to Rs.20600/- per acre) which at this stage calls for no interference, on a challenge laid by the appellant-State.

11. Furthermore, no other evidence was adduced by the respondents-landowners to substantiate their plea of enhancement of the market value in the case(s) in hand. 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. Therefore, the award passed by learned Reference Court being based on proper appreciation of pleadings and evidence available on record calls for no interference at the hands of respondents-landowners as well, the determination made thereunder being just and fair.

12. In view of the aforesaid, the present appeal(s) as well as cross-objections are dismissed.

13. Pending application(s), if any, shall also stand disposed of.

04.05.2026
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>

Other connected cases
RFA-5709-2001
RFA-5710-2001 WITH XOBJR-25-CI-2003