



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM-4168-CI-2025 in/and

RFA-1278-2022

Date of decision: 14.01.2026

The Rural, Social, Educational and Cultural Society

. . . . Appellant

Vs.

State of Haryana and others

. . . . Respondents

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Ms.Maineer, Advocate, for
Mr.Sandeep Sharma, Advocate, for the appellant.

Mr.Ravinder Singh Budhwar, Addl. A.G. Haryana.

DEEPAK GUPTA, J. (ORAL)

Certain land situated in the revenue estate of Village Garoli Khurd, Tehsil and District Gurgaon was acquired for the purpose of residential Sector 37-C, at Gurgaon. In respect of the super-structure as existing on the acquired land of appellant, supplementary award No.25 dated 31.12.2014 was announced, whereby an amount of ₹32,31,369/- was awarded.

2. Unsatisfied with the award of the Collector, appellant sought reference under Section 18 of the Land Acquisition Act. However, appellant failed to appear in the witness box to prove the case. It did not even examine any expert or Government valuer to support a claim that actual market value of the super-structure existing on the acquired land was more than what was assessed by the Collector. In these circumstances, the reference was dismissed by the learned Additional District Judge, Gurgaon vide award dated 28.02.2022.

3. Aggrieved by the aforesaid award, the present appeal was filed.

4. Now an application bearing CM-4168-CI-2025 has been moved by the appellant so as to decide this case in view of the order dated

Haryana through Collector Gurugram. By way of the said order dated 16.10.2025 passed in RFA-1277-2022, a Coordinate Bench of this Court had remitted back the matter to the Reference Court in the similar facts and circumstances and directed the Court to afford two effective opportunities to lead and conclude the entire evidence regarding her rights and benefits towards the acquisition of the super-structure existing on the acquired land.

5. Learned counsel prays that this matter be also remitted back to the Reference Court so as to provide opportunity to the appellant to lead evidence.

6. Learned State counsel appearing on behalf of respondents No.1 & 2, has no objection to accept the aforesaid request of learned counsel for the appellant.

7. Accordingly, the application [CM-4168-CI-2025] is allowed and consequently the present appeal is disposed of. Award dated 28.02.2022 of the Reference Court is set aside. Both the parties are directed to appear before the Reference Court on 27.01.2026. The matter is remitted back to the Refence Court with a direction to afford two effective opportunities to the appellant to lead and conclude the entire evidence regarding its right to show the actual market price of the super-structure existing on the acquired land. After appearance of the parties on 27.01.2026, the Refence Court shall fix effective dates for the said purpose.

14.01.2026

Vivek

(DEEPAK GUPTA)
JUDGE

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