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2026 PII IC 031616



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA-450-2008 (O&M) and other connected cases

Date of Decision: March 05, 2026

RAJPAL AND ORS.

.....Appellants

Versus

STATE OF HARYANA AND ORS.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Parveen Bhadu, Advocate for the appellant(s).

Mr. Abhinash Jain, DAG, Haryana.

HARKESH MANUJA, J. (ORAL)

Vide this common order of mine, a batch of 15 Regular First Appeal(s) shall stand disposed of, details whereof are provided in the footnote of the judgment. For convenience, the facts are being culled out from RFA-450-2008.

2. By way of present appeal, challenge has been laid to the judgment dated 25.08.2007 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 appellants-landowners, seeking enhancement of compensation was partly allowed.

3. Briefly stating, certain land, situated within the revenue estate of Village Noorgarh, Tehsil, District Gurgaon was acquired for the public purpose, namely, for "*construction of Khera Sub Minor*" vide notifications dated 12.07.2000 and 20.03.2001 issued under Sections 4 and 6 respectively of the Act. The Land Acquisition Collector (for short 'LAC') passed Award No.18-G dated 04.06.2002 assessing the market value at

the rate of Rs.2,20,000/- per acre for *Chahi* land and Rs.2,70,000/- for *Gair Mumkin* land along with other statutory benefits.

4. The appellants-landowners, feeling dissatisfied with the Award, sought reference under Section 18 of the Act pleading that the price of acquired land was not less than Rs.20,00,000/- per acre as the same was situated between industrial area of Gurgaon, Manesar, Dharuhera and Pataudi. It was further pleaded that the LAC did not take into consideration various sale deeds pertaining to the land parcels located in the close vicinity while determining the amount of compensation to be awarded.

5. Upon notice, the same was contested by the respondents-State having filed written statement wherein it was pleaded that the appellants-landowners were adequately compensated by the LAC as the award was based on actual market value prevalent at that time. It was also pleaded that the acquired land was agricultural in nature and no other commercial establishment existed in its vicinity. Thus, it was prayed that the well-reasoned Award of the LAC warranted no further interference.

6. Pursuant to framing of issues and upon consideration of the evidence, the learned Reference Court, vide award dated 25.08.2007 re-assessed the market value @ Rs.9,00,000/- per acre besides granting all other statutory benefits under the Act.

7. Aggrieved of the aforesaid decision dated 25.08.2007 of the learned Reference Court, the appellants-landowners filed the present appeal(s).

8. Impugning the aforementioned award, learned counsel for the appellants-landowners submits that the learned Reference Court erred in

placing reliance upon the sale instance Ex.P-2 dated 19.10.1981 vide which 1 marla of land forming part of the same revenue estate of village Noorgarh was sold for a sum of Rs.7,200/- with the base price of Rs.11,52,000/- per acre. He further submits that the said sale instance fetching the highest sale price was to be relied upon and accordingly, the market value was to be re-assessed @ Rs.11,52,000/- per acre. He also points out that the appellants-landowners were entitled for award of suitable appreciation upon the base price per acre derived from the sale instance Ex.P-2 for the time gap between the said sale instance up to the date of notification issued under Section 4 of the Act in the case(s) in hand i.e. 19.10.1981 to 12.07.2000. Therefore, the market value was to be assessed accordingly.

9. On the other hand, learned State counsel submits that though the respondents were not in appeal, however, the award passed by the learned Reference Court was wholly perverse as the sale instance Ex.R-2 dated 15.05.2000 with the base price of Rs.2,20,000 per acre pertaining to the same revenue estate of village Noorgarh was discarded by the learned Reference Court citing no valid reasons. He thus, submits that the Award passed by the learned Reference Court was liable to be modified by assessing the market value while taking into account the said sale instance.

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

11. Both the parties produced the following sale instances in order to substantiate their claims:-

Sale Deeds produced by the appellants-landowners:-

Exhibit of sale deed	Date of Execution	Areas in Kanals and Marlas	Sale consideration	Rate per acre	Revenue estate(Village)/remarks
P-1	20.08.1999	0 kanals and 02 marlas	Rs.6000/-	Rs.4,80,000/-	Noorgarh
P-2	19.10.1981	0 kanals and 01 marla	Rs.7200/-	Rs.11,52,000/-	Noorgarh

Sale Deeds produced by the respondents-State:-

Exhibit of sale deed	Date of Execution	Areas in Kanals and Marlas	Sale consideration	Rate per acre	Revenue estate (Village)/remarks
R-1	20.11.2002	4 kanals and 16 marlas	Rs.1,50,000/-	Rs.2,50,000/-	Noorgarh
R-2	15.05.2000	12 kanals	Rs.3,30,000/-	Rs.2,20,000/-	Noorgarh
R-3	06.09.2000	13 kanals	Rs.3,60,000/-	Rs.2,21,538/-	Noorgarh
R-4	26.09.2000	4 kanals	Rs.1,10,000/-	Rs.2,20,000/-	Noorgarh

12. From the above, it is clear that the three sale instances produced by the respondents in the form of Ex.R-1, R-3 and R-4 pertain to the period post notification under Section 4 of the Act in the case(s) in hand, therefore, need not be relied upon. The sale instance Ex.R-2 dated 15.05.2000 pertains to 12 kanals of land with base price of Rs.2,20,000/- per acre which has been discarded by the learned Reference Court being of the same value as has been assessed by the Collector. The respondents have neither filed any cross-appeal nor cross-objections as such, in the absence of there being any challenge laid to the findings recorded by the learned Reference Court about discarding of the sale instance Ex.R-2, the same cannot be relied upon at this stage.

13. Further, with respect to the sale deeds produced on record by the appellants-landowners, it is pertinent to mention here that acquisition in the present case(s) pertains to the notification dated 12.07.2000 under Section 4 of the Act whereas, the sale instance Ex.P-2 dated 19.10.1981 having base price of Rs.11,52,000/- is around 19 years prior to the date of notification under Section 4 of the Act and thus, it cannot be said to be safe to rely upon the same especially, when the sale instance Ex.P-1 dated 20.08.1999 which is just a year prior to the notification under Section 4 of the Act in the present case(s), had the base price of Rs.4,80,000/- per acre.

14. In such circumstances, no reliance can be placed upon the sale instance Ex.P-2 dated 19.10.1981 vide which 1 marla of land forming part of the same revenue estate of village Noorgarh was sold for Rs.7,200/- with base price per acre of Rs.11,52,000/- Therefore, no interference is called for with the impugned award passed by the learned Reference Court whereby, the appellants-landowners were awarded benefit of market value @ Rs.9,00,000/- per acre with all other statutory benefits.

15. At this stage, it may be noticed here that apparently, the re-assessment made in favour of the appellants-landowners to the tune of Rs.9,00,000/- per acre is post letter Ex.P-3/A bearing memo No.2025-R-5-2005/4299 dated 28.04.2005 whereby, the minimum floor rates for rest of Haryana sub-region of NCR was fixed at Rs.12,50,000/-. Though, the learned Reference Court did not provide any details while arriving to the figure of Rs.9,00,000/- per acre, however, it appears that the learned Reference Court applied the doctrine of de-escalation @ 6% approximately per annum upon the minimum floor rate of Rs.12,50,000/-

as on 28.04.2005 up to the date of notification under Section 4 of the Act in the case in hand i.e. 12.07.2000 which comes to Rs.8,75,000/- i.e. just close to the amount awarded in favour of the appellants-landowners @Rs.9,00,000/- per acre.

16. Accordingly, in view of the detailed discussion made herein-
above, finding no illegality or perversity with the Award dated 25.08.2007
passed by learned Reference Court, the present appeal(s) are
dismissed.

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

05.03.2026

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-451-2008
RFA-452-2008
RFA-453-2008
RFA-454-2008
RFA-455-2008
RFA-456-2008
RFA-457-2008
RFA-458-2008
RFA-548-2008
RFA-549-2008
RFA-809-2008
RFA-1428-2008
RFA-1429-2008
RFA-1430-2008