128(107cases) **IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

RFA-2830-2010 (O&M)
Decided on:-20.03.2026

Nirvail Singh (deceased) thr. his LR and others ….Appellants.

vs.

Collector Land Acquisition, Deptt. of Industries and Commerce, Punjab and others ….Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Prateek Mahajan, Advocate,
Mr. Daanish Mahajan, Advocate,
Ms. Nikita Goel, Advocate,
Mr. Mayank Vashisth, Advocate,
Mr. Kunal Soni, Advocate and
Ms. Prerna Malhotra, Advocate,
for appellants (in RFA-3338 to 3344, 5051 of 2010) and for respondents (in RFA-1167, 1168, 1174, 1182, 1186 of 2011 and RFA-5629-2012).

Mr. S.K. Garg Narwana, Senior Advocate with
Mr. Vishal Garg Narwana, Advocate and
Mr. Nitin Sachdeva, Advocate,
for the appellant (in RFA-2963-2010).

Mr. Rajbir Singh, Advocate,
for the appellant (in RFA-3344, 2841, 2832, 2834, 2837, 2840, 2842, 3341, 4676, 5051 of 2010 and for Cross-objector (in XOBJR-7-2026)

Mr. B.D. Sharma, Advocate,
for the appellants (in RFA-2830 to 2842, 4676, 4677, 4976 of 2010, RFA-244 and 248 of 2012, RFA-1577-2014 and XOBJR-45 & 46-CI-2013).

Mr. Anil Chawla, Advocate,
for the appellant (in RFA-3982 to 3988 of 2011, RFA-615 & 616 of 2026).

Mr. Veneet Sharma, Advocate
for the appellant (in RFA-2880-2010, RFA-3971 to 3982 of 2011, RFA-5631 and 5632 of 2012).

Mr. Vinod Kumar Kaushal, Advocate with
Mr. H.S. Taragarh, Advocate
for the appellant (in RFA-5573-2013).

Mr. Puru Jarewal, DAG, Punjab.

None for respondent No.3-PSIEC.

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HARKESH MANUJA J. (Oral)

1. Vide this common judgment, batch of total 107 connected Regular First Appeals are being decided as all have arisen out of the same award. The details of the connected cases are given in the footnote of the judgment.

1.2 For convenience, the facts are being taken from **RFA-2830-2010 (O&M).**

2. By way of present appeal(s), challenge has been laid to an Award dated 11.06.2009 passed by the Court of learned Additional District Judge, Amritsar (for short, ***"the Reference Court")***, whereby, reference petition(s) preferred at the instance of landowner(s) invoking Section 18 of the Land Acquisition Act, 1894 (for brevity, ***"1894 Act"***), were partly accepted.

3. Brief facts of the case are that some land owned by the landowner(s), situated in the revenue estates of village Vallah and Khankot, was acquired vide notifications dated 07.09.1998 and 07.04.1999, issued under Sections 4 & 6 respectively of the 1894 Act. The total land under acquisition was 319.89 acres. The acquisition was for the public purpose,

namely, *"for setting up of Expansion of Industrial Focal Point, at Village Vallah"*. The Land Acquisition Collector (for short, "the LAC") vide its Award No.3 of 2001 dated 05.04.2001, besides granting all other statutory benefits under the 1894 Act, assessed the market value of the acquired land in the following manner:-

Sr. No.	**Type of Land**	**Price assessed by LAC**
1.	Ordinary area	Rs.5,50,000/- per acre
2.	Low lying area in ordinary belt	Rs.5,00,000/- per acre
3.	Special belt	Rs.6,00,000/- per acre
4.	Low lying area in special belt	Rs.5,50,000/- per acre

4. Aggrieved of the same, the landowner(s) invoked separate reference petition(s) under Section 18 of the 1894 Act, seeking enhancement of compensation. Upon consideration of the material available on record, the learned Reference Court vide its decision dated 11.06.2009, enhanced the market value of the acquired land to the tune of Rs.6,86,774/- per acre *qua* the first acre touching Vallah Mehta Road and Rs.6,36,774/- per acre for the land beyond one acre besides granting all other statutory benefits under the 1894 Act.

5. Feeling dissatisfied with the aforesaid decision of the learned Reference Court, the landowner(s) as well as the PSIEC preferred the present appeals/cross appeals as well as cross-objections, details whereof are mentioned in the footnote of the judgment.

CONTENTION(S):

ON BEHALF OF THE APPELLANT(S)-LANDOWNER(S)

6. Impugning the aforementioned award, learned counsel appearing on behalf of the appellants-landowners submits that the learned

Reference Court erred having discarded the sale instance Ex.PW1/3 dated 27.01.1998, vide which, 488.08 sq. yard of land was sold for Rs.1,66,000/- with the base price per acre of Rs.16,46,123/-. He submits that in the absence of any material evidence been led by the respondents so as to establish any doubt about the genuineness of the sale price of Ex.PW1/3, the same could not have been discarded merely on the basis of apprehensions, especially, when the land parcel forming part of the said sale deed was admittedly, located in the close geographical proximity of the acquired land. Learned counsel also submits that in the given facts and circumstances, the acquired land carried significant locational as well as potential advantage attached to it as the same was abutting an already existing Industrial Focal Point and the acquisition in case(s) in hand was carried out for the purpose of expansion thereof. He submits that in such circumstances, the 1/3rd deduction applied was highly excessive as the acquisition was for the purpose of expansion of an already developed Industrial Focal Point.

6.1 In the alternative, it has also been submitted that the learned Reference Court was required to rely upon the determination of the market value made with respect to an earlier acquisition carried out in terms of notification dated 07.01.1996 sanctioned under Section 41 of the Punjab Improvement Trust, 1922 for the Development Scheme of 340 acres situated on Amritsar-Jalandhar road. For the said acquisition, vide award dated 16.01.1998 (Ex.A-1), the market value for the land acquired from the same very revenue estate of Village Vallah was assessed @ Rs.10,50,000/- per acre, which was subsequently enhanced to Rs.12,60,000/- per acre vide award dated 23.07.2020 by the learned Reference Court.

6.2 Learned counsel thus, submits that the market value needs to be reassessed and enhanced in favour of the appellants-landowners based on the aforementioned evidence and thus, the award passed by the learned Reference Court was liable to be modified.

ON BEHALF OF RESPONDENT(S)-STATE

7. Per contra, learned counsel representing the State submits that the learned Reference Court erred having relied upon the sale instances produced by the appellants-landowners while determining the market value of the acquired land. He points out that all the sale deeds produced by the appellants-landowners were related to small parcels of land *viz-a-viz* the acquisition of large chunk of land measuring 319.89 acres. Learned counsel further contends that besides the aforementioned sale instances produced by the appellants-landowners, no other substantial material was brought on record by them to substantiate their claim towards enhancement of compensation.

7.1 Learned State counsel also contends that the learned Reference Court rightly discarded the award dated 16.01.1998 (Ex.A-1) which though pertained to the same revenue estate of Village Vallah yet, the land parcel acquired therein was located on the Jalandhar-Amritsar road whereas, the land acquired in the present case(s) was geographically placed differently on the Amritsar-Mehta Road; both locations bifurcated by the railway-line. Learned counsel further contends that the learned Reference Court erred having discarded the sale instances produced by the respondents. He thus prays that the award passed by the learned Reference Court was liable to be set aside and that of the LAC was to be restored. No other argument has been addressed.

DISCUSSION AND REASONING

8. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the appellants-landowners.

9. Firstly, it would be relevant to take note of the sale instances produced by the appellants and the respondents in order to substantiate their effective claims, the details thereof are extracted hereunder:-

Sale deeds produced by the appellants-landowners: -

Sale Exhibits	Date of sale deed	Area	Total Sale consideration (Rs.)	Value per acre
Ex.A2	03.05.1996	233.33 sq. yard	Rs.55,000/-	Rs.10,99,387/-
Ex.A3	15.01.1998	100 sq. yard	Rs.30,000/-	Rs.14,52,000/-
Ex.A4	13.03.1995	200 sq. yards	Rs.33,000/-	Rs.8,47,000/-
Ex.A5	11.03.1997	133 sq. yard	Rs.30,000/-	Rs.10,89,027/-
Ex.A6	03.07.1997	400 sq. yard	Rs.90,000/-	Rs.10,89,000/-
Ex.A7	24.12.1997	200 Sq. yard	Rs.60,000/-	Rs.14,52,000/-
Ex.PW1/2	03.07.1997	366-66 sq. yard	Rs.83,000/-	Rs.10,95,619/-
Ex.PW1/3	27.01.1998	488.08 sq. yards	Rs.1,66,000/-	Rs.16,46,123/-

Sale deeds produced by the respondents: -

Sale Exhibits	Date of sale deed	Area	Total Sale consideration (Rs.)	Value per acre
Ex.R2/B	18.05.1998	2 kanal 14 marla	Rs.30,000/-	Rs.88,889/-
Ex.R2/C	19.06.1998	2 kanal	Rs.85,000/-	Rs.3,40,000/-
Ex.R2/D	14.05.1998	6 kanal 3 marla	Rs. 1,00,000/-	Rs.1,30,081/-
Ex.R2/E	29.09.1997	1 kanal 10 marla	Rs.63,500/-	Rs.3,38,667/-
Ex.R-2/F	29.09.1997	1 kanal	Rs.42,500/-	Rs.3,40,000/-

9.1. A perusal of the above chart shows that as per the sale instances produced by the respondent(s)-State, the price per acre ranges from

Rs. 88,889/- to Rs. 3,40,000/-, which is significantly lower than the market value assessed by the LAC based on the recommendations of the District Level Price Fixation Committee, which consisted of the Revenue Officials of the District. In such circumstances, the sale instances produced by the respondent(s)-State, which carried price lesser than the recommendations made by the District Level Price Fixation Committee itself, need to be discarded for not being *bonafide* sale transactions. Accordingly, the sale instances produced by the respondent(s)-State cannot be relied upon for the purpose of determination of market value of the case(s) in hand.

10. As regards to the sale instances produced by the appellants-landowners, although, the comparative location of the land parcels forming part thereof *viz-a-viz* the acquired land has not been proved on record by way of any *akshjara* or site plan, however, the proximity between the two parcels of land can be easily traced out from the relevant material available on record. A comparative chart of the *khasra* numbers of the acquired land as depicted in the notification dated 07.04.1999 issued under Section 6 of the 1894 Act in the case in hand *viz-a-viz* the *khasra* numbers of the land parcels forming part of the sale instances produced by the appellants-landowners is recorded hereunder:-

Date of sale deed /Exhibits	**Khasra numbers corresponding to the sale deeds**	**Khasra numbers of the acquired land in the case in hand**
03.05.1996 (Ex.A-2),	Khasra no.66//23/2	80, 81, 82, 83, 97, 98, 99, 100, 101,105, 106, 107, 108, 109, 122, 123, 124, 125, 126, 137
15.01.1998 (Ex.A3)	Khasra no.66//18	
13.03.1995 (Ex.A4)	Khasra no.120//5/2	
11.03.1997 (Ex.A5)	Khasra no.92//25/1	
03.07.1997 (Ex.A6)	Khasra no.93//11	
24.12.1997 (Ex.A7)	Khasra no.66//18	
03.07.1997 Ex.PW1/2	Khasra no.93//11	
27.01.1998 (Ex.PW1/3)	Khasra no. 92//25/1	

10.1. From the above chart, it becomes apparent that the land parcels forming part of the sale instances Ex.A-4, Ex.A-5, Ex.A-6, Ex.PW1/2 and Ex.PW1/3 are located in close geographical vicinity of the acquired land. Mere fact that the above-mentioned sale exemplars are not to be relied upon due to the area thereunder being smaller as compared to the land under acquisition, does not find merit with this Court in view of the latest exposition of law laid down by the Hon'ble Apex Court in titled ***Horrmal Vs. State of Haryana***, reported as ***'2024(4) R.C.R. (Civil) 758'***, as per which, while making assessment of the market value, sale instances relating to smaller parcels of land can be relied upon albeit an appropriate cut is applied. Relevant paragraph thereof are extracted hereunder:-

> *"26. However, there is no bar in law against considering sale exemplars of smaller plots, provided they are subjected to adequate developmental charges. The rationale behind applying such cuts lies in the fact that smaller plots often command higher prices due to their developed nature, whereas a larger tract of land which is acquired for development may require significant allocation for creating roads, parks, essential services, etc.[10] Accordingly, these sale exemplars can be relied upon only after applying appropriate cuts. This Court in **Chimanlal Hargovinddas v. LAO, (1988) 3 SCC 751** authoritatively ruled that when valuing a large block of land, appropriate deduction must be made for setting aside areas for roads, open spaces and dividing the land into smaller plots suitable for the construction of buildings.*
>
> *[10 Ibid; **Atma Singh v. State of Haryana and others, (2008) 2 SCC 568**.]*
>
> *27. In the instant case, there are multiple sale deeds of smaller plots, and these represent the best available evidence for estimating compensation. Since there is no legal impediment to considering such sale deeds, the logical progression in the compensation estimation process would be to identify the most suitable sale deed(s) for determining the market value and subsequently, to apply adequate deductions on the same. The solution to this state of flux may thus be found in the case of **Mehrawal Khewaji Trust v. State of Punjab, (2012) 5 SCC 432** where this Court laid down as follows:*
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>> *"....It is clear that when there are several exemplars with reference to similar lands, it is the general rule that the highest of the exemplars, if it is satisfied that it is a bona fide transaction, has to be considered and accepted. When the land is being compulsorily taken away from a person, he is entitled to the highest value which similar land in the locality is shown to have fetched in a bona fide transaction*

entered into between a willing purchaser and a willing seller near about the time of the acquisition.”"

Thus, the aforestated sale instances produced by the appellants-landowners need to be taken into consideration for the purpose of determination of the market value in the present case(s).

11. At this juncture, it is also pertinent to mention here that the reasoning recorded by the learned Reference Court while discarding the sale instance dated 27.01.1998 (Ex.PW1/3) is wholly misplaced in the humble opinion of this Court. As rightly pointed out by learned counsel appearing on behalf of the appellants-landowners, no evidence was produced on record by the respondent(s)-State to establish any doubt about the sale transaction carried out in terms of the said sale deed dated 27.01.1998 (Ex.PW1/3). Even no evidence was led by the respondent(s)-State to question the sale consideration mentioned therein. In such circumstances, the learned Reference Court erred having discarded the sale instance dated 27.01.1998 (Ex.PW1/3) merely on the basis of unsubstantiated apprehension.

12. Keeping in view the discussion made hereinabove and the fact that it is time and again emphasized by the Hon’ble Apex Court that the objective of the 1894 Act is to grant just and fair compensation to the landowners and to determine such definitive value, some guesstimation work has to be done by the Court, since the value of sale consideration reflected in sale instances Exhibits Ex.A-4, Ex.A-5, Ex.A-6, Ex.PW1/2 and Ex.PW1/3 are range-bound between Rs.8,47,000/- per acre to Rs. 16,46,123/- per acre, this Court is of the opinion that taking average of the five sale instances would be the most appropriate way to determine the market price in the case(s) in hand. The aforesaid view is also derived from

decision of the Hon'ble Apex Court in case of "***Bharat Petroleum Corpn. Ltd. v. Phoolvati Dharambir Agarwal"*** reported as ***2023 SCC OnLine SC 2162***, whereby it was held that the Courts can deviate from the general principle of taking the highest sale instance by taking average of the sale deed(s) and the same would depend upon the facts of the case. The relevant portions of paragraphs 17 and 20 are extracted hereinbelow:-

> *"17. We may also hasten to add that though the general practice is of considering the highest sale Exemplar, but, many a time, Courts take an average of relevant sale instances to arrive at the nearest possible market value of the acquired land. Averaging of sale instances, as per judicial precedents, is not wholly impermissible.....*
> *.......True it is that where multiple exemplars are relied upon, and such exemplars relate to adjoining or nearby areas having similar potentiality, the highest bona fide exemplar ought to be the benchmark for estimation of the fair and just value. It is equally true that the Courts do not possess a magic wand to determine the exact and the definitive value of the land and in the process of guess work, the Court would rely upon every possible material brought on record by the parties. Applying the principle of guesstimate for fixation of fair and just market value of the acquired land, we thus deem it appropriate to rely upon (i) the sale instance(s) of highest consideration with appropriate deduction; (ii) the valuation report (Exhibit "C35") which stipulates the fair market value of the land @ Rs.2,50,000/- per ground; and (iii) the average of all the examplars relied upon by the respondent-claimants. Hence, we are of the firm opinion that the fair and just market value of the acquired land at the relevant time was about Rs.2,50,000/- per ground. Having held so, we set aside the deductions of 15% towards largeness of the area or 10% as development charges as made by the High Court....."*

13. Further in ***Sri Rani M. Vijayalakshmanna Rao Bahadur, Ranee of Vuyyur v. The Collector of Madras*** *reported as* ***1969 (1) MLJ 45***, a three Judge Bench of Hon'ble Supreme Court observed that:

> *"......Whatever that may be, it seems to us to be only fair that where sale deed, pertaining to different transactions are relied on behalf of the Government, that representing the highest value should be preferred to the rest* ***unless there are strong circumstances justifying a different course.*** *In any case we see no reason why an average of two sale deeds should have been taken in this case."*

The said discussion of ***Sri Rani*** case (supra) has also been approved in various subsequent judgments of Hon'ble Apex Courts in

Anjani Molu Dessai v. State of Goa reported as *(2010) 13 SCC 710* and ***Mehrawal Khewaji Trust (Regd.), Faridkot v. State of Punjab*** reported as ***2012(5) SCC 432***.

14. Accordingly, for the award of just and fair compensation to the landowners in the case(s) in hand, this Court deems it fit to take average of the five sale deeds produced on record before this Court, for determining the market value in the present case(s).

15. Taking into account that fact that all the five sale deeds relied upon above, pertained to the period prior to the notification under Section 4 of the 1894 Act in case(s) in hand which is dated 07.09.1998, therefore, for the said time, an appropriate appreciation needs to be awarded in favour of the appellants-landowners. As held by the Hon'ble Apex Court in ***General Manager, Oil and Natural Gas Corporation Ltd v. Rameshbhai Jivanbhai Patel and Anr,*** reported as ***(2008) 14 SCC 745***, that primarily, the increase in land prices depends on four factors-situation of the land, nature of development in surrounding area, availability of land for development in the area, and the demand for land in the area.

15.1. Admittedly, in the facts and circumstances of the present case(s) and on the basis of material available on record, it was established that the acquired land was located on the main road leading from Amritsar to Mehta. Further, an already established industrial estate-cum-focal point, Amritsar was located in the close vicinity of the acquired land and the present acquisition was carried out for its expansion purposes. Besides it, in the close vicinity of around 1-2 km, there exists one hospital, namely, Guru Rams Dass Cancer Research & Medical College, Post Graduate Institute of

Medical Science & Research and Grain Market established by Punjab Mandi Board, thus, the surroundings of the acquired land already possessed all basic civic infrastructural amenities with further scope of expansion thereof.

15.2. In such circumstances, it is evident that the acquired land had significant locational and potential value attached to it, therefore, an appreciation @ 12% needs to be granted in favour of the appellants-landowners for the time gap between the respective dates of aforementioned sale deeds up to the date of notification under Section 4 of the 1894 Act in the case (s) in hand. Applying the same, the average value comes to Rs. 13,49,382.00 per acre as per calculation made hereunder:-

Exhibit / Date of Execution of sale deed (1)	**Rate Per Acre (Rs.) (2)**	**Section 4 Notification Date (3)**	**Time Period Between Execution & Notification (4)**	**Interest Rate (5)**	**Interest Amount (Rs.) (6)**	**Amount after appreciation (2+6) (Rs.) (7)**
Ex.A4/ 13.03.1995	8,47,000/-	07.09.1998	3 Years 5 Months 25 Days	12%	3,54,765/-	12,01,765.00
Ex.A5/ 11.03.1997	10,89,027/-	07.09.1998	1 Year 5 Months 27 Days	12%	1,95,130/-	12,84,157.00
Ex.A6/ 03.07.1997	10,89,000/-	07.09.1998	1 Year 2 Months 4 Days	12%	1,54,310/-	12,43,310.00
Ex.PW1/2/ 03.07.1997	10,95,619/-	07.09.1998	1Year 2 Months 4 Days	12%	1,55,248	12,50,867.00
Ex.PW1/3/ 27.01.1998	16,46,123/-	07.09.1998	0 Years 7 Months 11 Days	12%	1,20,686	17,66,809.00
			Total			**13,49,381.00**
	Average of sale deeds		Rs. 67,46,908÷ 5			**13,49,381.60**
	Net amount					**13,49,382.00 (Round Off)**

16. Insofar as the deduction on the basis of smallness of the land parcels forming part of the five sale exemplars measuring 200 sq. yards, 133 sq. yards, 400 sq. yards , 366-66 sq. yards , 488.08 sq. yards respectively, *vis-a-vis* the acquired land measuring 319.89 acres, is concerned, having adopted the average of the aforementioned sale instances for determining the

market value in the case(s) in hand, the total area under the above mentioned five sale deeds, which comes to 1585.72 sq. yard, needs to be taken into account while determining the quantum of deduction to be made herein.

16.1. It was established on record that the acquired land parcel had potential advantage due to its geographical location being abutting the already developed Industrial Estate-cum Focal Point Amritsar, thus, carrying all necessary basic infrastructural amenities like road, sewerage, streetlights etc. therefore, keeping in view the locational and potential advantage, a deduction @ 20% would suffice and accordingly, after applying the aforesaid appreciation as well as deduction, the market value of the acquired land as on the date of notification under Section 4 of the 1894 Act in the case(s) in hand approximately comes to Rs.10,79,505 /- per acre.

16.2. At this juncture, it is also relevant to mention here that the application of the belting system is not warranted in the present case(s) as the entire acquired land forms a compact block. The entire stretch lies along the main Amritsar–Mehta road and is contiguous to an already developed Industrial estate. Moreover, as per the evidence on record, village Vallah abuts Amritsar City and also forms part of the Municipal Corporation, Amritsar. Admittedly, the revenue estates of villages Vallah and Khankot abut and adjoin each other, even possess the same nature and potential. In such circumstances, both the revenue estates are awarded uniform market value @ Rs.10,79,505 /- per acre.

17. As such, in case the market value is assessed on the basis of the sale instance fetching the highest base price per acre in the case(s) in hand i.e. the sale deed dated 27.01.1998 Ex. PW1/3 vide which 488.08 sq. yards

was alienated for Rs. 1,66,000/- with the base price of Rs.16,46,123/- per acre, a subsequent 12% appreciation and 40% deduction towards the smallness of area involved therein and development charges are applied, the market price comes to Rs. 10,60,085.40/- as per the calculation given below, which does not significantly differ from the market value of Rs. **10,79,505** /- per acre assessed hereinabove, thus, seems to be just and fair in the considered opinion of this Court.

Calculation:-

Sale deed dated 27.01.1998 (Ex. PW1/3)	Base Price = Rs.16,46,123/- per acre
Appreciation @ 12% for 7 Months 11 Days	16,46,123 + 1,20,686 (Base Price + Interest) =17,66,809
Deduction of 40%	17,66,809 - 7,06,723.60 (Price – 40% of Price) = **10,60,085.40**
Net Value	Rs. **10,60,085/- (rounded off)**

18. Further, it may be noticed here that the Award dated 16.01.1998 (Ex. A-1) relating to the previous acquisition carried out in terms of notification dated 07.01.1996, cannot be relied upon on account of difference in geographical location between the two land parcels i.e. the one acquired vide notification dated 06.01.1995 being located on the Amritsar-Jalandhar road, whereas, the land parcels under the present acquisition is abutting the Amritsar-Mehta Road and the two land parcels are divided by railway-line.

18.1. However, it is pertinent to mention here that vide the said Award dated 16.01.1998 (Ex. A-1), the market value of the land acquired for setting up of a development scheme over 340 acres of land from village Vallah, located at Amritsar-Jalandhar Road was assessed by the LAC to be Rs. 10,50,000/- per acre. The said acquisition pertained to the notification dated 07.01.1996 under Section 41 of the Punjab Town Improvement Act, 1922 whereas, the present acquisition pertained to notification dated 07.09.1998 under Section 4 of the Act. It was further recorded by the learned Reference Court that the acquired land in the previous acquisition comprised of Khasra Nos. 117,130,132,133 which indicates that the said land was situated in close geographical proximity of the acquired land in the present case(s), rather as discussed above, the two land parcels forming part of the previous and present acquisition were divided by a railway-line. Thus, once, the market value of the nearby land in Village Vallah was assessed to be Rs. 10,50,000/- per acre by the State itself, that too, two years prior to the present acquisition, the market value assessed in accordance with the evidence on record to the tune of Rs. 10,79,505 /- per acre herein, is, in the humble opinion of this Court, fair and justified especially taking into account the geographical and locational difference between the two land parcels.

18.2. In view of the aforesaid discussion, impugned award dated 11.06.2009 passed by the learned Reference Court is modified and the appellants-landowners are held entitled for award of uniform market value at the rate of **Rs. 10,79,505/- per acre**. The appellant(s)-landowner(s) are also awarded consequential / statutory benefits and interest as provided in the 1894 Act (as amended up-to-date), especially the interest on solatium as well.

19. In view of the aforesaid discussion, the appeals/cross-objections filed at the instance of landowner(s) are partly allowed, whereas, the appeals/cross-objections filed at the instance of State/PSIEC, are hereby dismissed.

20. Further, in case of unfortunate demise of any of the landowners, if the legal heir(s)-legal representative(s) have not been brought on record, they shall be entitled for filing exemption applications in their own names being legal heirs or legal representatives of the deceased-landowners; subject of course to any testamentary document created by the deceased.

21. Pending application, if any, also stands disposed of.

20.03.2026 **(HARKESH MANUJA)**
sonika **JUDGE**

Whether speaking/reasoned: Yes
Whether reportable: Yes

Sr. No.	Case No.		Sr. No.	Case No.
1.	RFA-1167-2011 (O&M)		54	RFA-3982-2011 (O&M)
2	RFA-1168-2011 (O&M)		55	RFA-3983-2011 (O&M)
3	RFA-1169-2011 (O&M)		56	RFA-3984-2011 (O&M)
4	RFA-1170-2011 (O&M)		57	RFA-3985-2011(O&M)
5	RFA-1171-2011 (O&M)		58	RFA-3986-2011 (O&M)
6	RFA-1172-2011 (O&M)		59	RFA-3987-2011 (O&M)
7	RFA-1173-2011 (O&M)		60	RFA-3988-2011 (O&M)
8	RFA-1174-2011(O&M)		61	RFA-4296-2010 (O&M)
9	RFA-1175-2011 (O&M)		62	RFA-4296-2013 (O&M)
10	RFA-1176-2011 (O&M)		63	RFA-4297-2013 (O&M)
11	RFA-1177-2011 (O&M)		64	RFA-4298-2013 (O&M)
12	RFA-1178-2011 (O&M)		65	RFA-4299-2013 (O&M)
13	RFA-1179-2011 (O&M)		66	RFA-4512-2010 (O&M)
14	RFA-1180-2011 (O&M)		67	RFA-4513-2010 (O&M)
15	RFA-1181-2011 (O&M)		68	RFA-4534-2010 (O&M)
16	RFA-1182-2011 (O&M)		69	RFA-4535-2010 (O&M)
17	RFA-1183-2011 (O&M)		70	RFA-4536-2010 (O&M)

18	RFA-1184-2011 (O&M)		71	RFA-4537-2010 (O&M)
19	RFA-1185-2011 (O&M)		72	RFA-4676-2010 (O&M)
20	RFA-1186-2011 (O&M)		73	RFA-4677-2010 (O&M)
21	RFA-1577-2014 (O&M)		74	RFA-4976-2010 (O&M)
22	RFA-244-2012(O&M)		75	RFA-5051-2010 (O&M)
23	RFA-248-2012 (O&M)		76	RFA-5573-2010 (O&M)
24	RFA-2600-2013 (O&M)		77	RFA-1072-2013 (O&M)
25	RFA-2831-2010 (O&M)		78	RFA-5616-2012 (O&M)
26	RFA-2833-2010 (O&M)		79 80	RFA-5617-2012 (O&M) with XOBJR-46-CI-2013 (O&M)
27	RFA-2834-2010 (O&M)		81	RFA-5618-2012 (O&M)
28	RFA-2835-2010 (O&M)		82	RFA-5619-2012 (O&M)
29	RFA-2836-2010 (O&M)		83	RFA-5620-2012 (O&M)
30	RFA-2837-2010 (O&M)		84 85	RFA-5621-2012 (O&M) with XOBJR-45-CI-2013
31	RFA-2838-2010 (O&M)		86	RFA-5622-2012 (O&M)
32	RFA-2839-2010 (O&M)		87	RFA-5623-2012 (O&M)
33	RFA-2840-2010 (O&M)		88	RFA-5624-2012 (O&M)
34	RFA-2842-2010 (O&M)		89	RFA-5625-2012 (O&M)
35	RFA-2963-2010 (O&M)		90	RFA-5626-2012 (O&M)
36	RFA-3338-2010 (O&M)		91	RFA-5627-2012 (O&M)
37	RFA-3339-2010 (O&M)		92	RFA-5628-2012 (O&M)
38	RFA-3340-2010 (O&M)		93	RFA-5629-2012 (O&M)
39	RFA-3341-2010 (O&M)		94	RFA-5630-2012 (O&M)
40	RFA-3342-2010 (O&M)		95	RFA-5631-2012 (O&M)
41	RFA-3343-2010 (O&M)		96	RFA-5632-2012 (O&M)
42	RFA-3344-2010 (O&M)		97	RFA-5633-2012 (O&M)
43	RFA-3971-2011(O&M)		98	RFA-5634-2012 (O&M)
44	RFA-3972-2011 (O&M)		99	RFA-7108-2011 (O&M)
45	RFA-3973-2011(O&M)		100	RFA-7692-2011 (O&M)
46	RFA-3974-2011(O&M)		101 102	RFA-1187-2011 (O&M) with XOBJR-7-2026 (O&M)
47	RFA-3975-2011(O&M)		103	RFA-2841-2010 (O&M)
48	RFA-3976-2011 (O&M)		104	RFA-2832-2010 (O&M)
49	RFA-3977-2011 (O&M)		105	RFA-615-2026 (O&M)
50	RFA-3978-2011 (O&M)		106	RFA-616-2026(O&M)
51	RFA-3979-2011 (O&M)			
52	RFA-3980-2011 (O&M)			
53	RFA-3981-2011 (O&M)			

20.03.2026 **(HARKESH MANUJA)**
sonika **JUDGE**