

2026.PHHC.062493



109 **IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

RFA-3028-2011 (O&M)

Decided on:-18.04.2026

State of Punjab

....Appellant.

vs.

Ajit Singh

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Gunjan Mehta, Addl. A.G., Punjab.

None for the respondent.

HARKESH MANUJA J. (Oral)

IOIN-RFA-3028-2011

As per office report, notice issued to respondent No.1 has been received back with the report "incomplete/incorrect address".

At this stage, learned counsel representing the appellant-State submits that the matter can be decided as the same is squarely covered by judgment dated 18.01.2016 passed by this Court in RFA-1901-2008.

In view of the above, no further orders are called for in IOIN and the same is disposed of. On the oral request made by learned State counsel, main appeal is taken on board today itself for hearing and final disposal.

RFA-3028-2011

1. By way of present appeal, challenge has been laid to an award dated 08.02.2011 passed by the learned Additional District Judge, SAS Nagar, Mohali (for short, "Reference Court"), whereby reference petition

filed at the instance of respondent-landowner invoking Section 18 of the Land Acquisition Act, 1894 (hereinafter referred to as “1894 Act”), was partly allowed.

2. As submitted by the learned counsel for the appellant-State, the present appeal is squarely covered by the judgment dated 18.01.2016 passed by this Court in a bunch of appeals, lead case of which was **RFA-1901-2008**, titled as “**Ashok Kumar Sharma vs. State of Punjab**”, whereby, similar appeals filed at the instance of appellants-State, challenging similar award passed by the Reference Court pertaining to same acquisition proceeding stood dismissed and the appeals filed at the instance of landowners were partly accepted. The relevant portion of the judgment is reproduced hereunder:-

“Considering the totality of facts and circumstances of the cases noted above, coupled with the reasons aforementioned, this Court is of the considered view that the appeals filed by the State of Punjab have since been found misconceived, bereft of merit and without any substance, must fail and the same are hereby dismissed. The appeals filed by the land owners-appellants deserve to be partly accepted and the same are hereby allowed to the extent indicated above.

The land owners are held entitled to receive the compensation at the rate of Rs.5,00,000/- per acre for their acquired land, from the date of notification under Section 4 of the Act. Similarly, the land owners are held entitled to receive the compensation for their fruit bearing trees, non-fruit bearing trees, tubewells and other superstructure, in the abovesaid terms, from the date of notification under Section 4 of the Act. Besides this, the land owners shall also be entitled for all the statutory benefits available to them, under the

relevant provisions of the Act.”

3. After going through the judgment passed in ***Ashok Kumar Sharma’s case (supra)*** as well as the present case, this Court agrees with the assertion of the learned counsel for the appellant-State.

4. Consequently, the present appeal is disposed of in the same terms as ***Ashok Kumar Sharma’s case (supra)***.

5. Pending application, if any, stands disposed of.

6. Vide order dated 27.05.2011, this Court had stayed disbursement of 50% of the awarded amount in terms of interim order dated 23.10.2008 passed in RFA 4162 of 2008 titled “***State of Punjab Vs Surinder Kaur***”. With the disposal of the present appeal, the aforementioned interim order stands vacated. Learned State counsel is requested to ensure that a copy of this order be served upon the respondent-landowner through the revenue officials of the concerned District and an affidavit to this effect be filed within four weeks from today so that the landowner can avail his remedies in accordance with law. Compliance report by way of affidavit in this regard be filed.

7. List the case on 22.05.2026, for this purpose only.

18.04.2026
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/ No