

2026:PHHC:038893



RFA No.4061 of 2012 (O&amp;M)

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

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1.

CM No.2843-CI of 2023 in/and  
RFA No.4061 of 2012 (O&M)  
Date of Decision: 12.03.2026

**DHARAM SINGH AND OTHERS****.....Appellants****Vs****CIVIL PANCHAYAT DEH DADUMAJRA, UT CHANDIGARH AND ORS.****...Respondent(s)****CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA***

Present: Mr. Parveen Chauhan, Advocate  
for the applicants-appellants.

Mr. Parminder Singh Kanwar, Addl. Standing Counsel  
for UT, Chandigarh.

Mr. Vikram Singh, Advocate and  
Mr. Ishnoor Singh, Advocate  
for respondent Nos.4, 5 and 9.

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**HARKESH MANUJA, J. (Oral)****CM No.2843-CI of 2023**

Prayer made in this application is for disposing of the main appeal which was admitted for regular hearing vide order dated 19.11.2015 passed by this Court; being covered with RFA No.2989 of 2006 decided on 18.05.2010.

Upon hearing learned counsel for the parties and with their consent the main appeal is taken on board today itself.

**RFA No.4061 of 2012 (O&M)**

[1]. By way of present appeal, challenge has been laid to the Award dated 30.01.2001 passed by the learned Addl. District Judge, Chandigarh (hereinafter to be referred as the 'Reference Court').

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[2]. Briefly stating, in the present case, land measuring 92.96 acres situated within the revenue estate of village Dadu Majra, Hadbast No.14, UT, Chandigarh, came to be acquired vide Notifications dated 09.03.1995 and 15.05.1995 issued under Sections 4 & 6 of the Land Acquisition Act, 1894 (for short the '1894 Act') respectively for the public purpose, namely, *"for the houses to be constructed by the Chandigarh Housing Board"*. Award under Section 11 of the 1894 Act was passed by the Land Acquisition Collector (for short 'the LAC') on 11.12.1995, whereby market value was assessed @ Rs.3,00,000/- per acre along with all other statutory benefits and interests provided under the 1894 Act.

[3]. Dissatisfied with the Award passed by the LAC, the appellant(s)/landowner(s) invoked Reference under Section 18 of the 1894 Act read with Section 30 thereof, for seeking enhancement of compensation and also with respect to apportionment thereof.

[4]. The reference petition in terms of LAC No.13 along with bunch of cases pertaining to the same acquisition proceedings wherein the objection preferred at the instance of other similarly placed landowners for seeking enhancement of compensation came to be partly allowed by the learned Reference Court vide its award dated 30.01.2001, granting them enhanced compensation @ Rs.5,36,000/- per acre besides awarding all other statutory benefits/interest under the 1894 Act.

[5]. As a matter of fact, though the issue of apportionment was raised by the appellants as against the Civil Panchayat Deh, Dadu Majra, UT Chandigarh through its Sarpanch by impleading it as respondent No.1, however, neither any



issues were framed by the learned Reference Court in this regard nor even any findings was recorded.

[6]. In this view of the matter, the parties were not provided sufficient and reasonable opportunity to lead their evidence on the point of their entitlement and apportionment of compensation, as such, the matter needs to be remitted back to the learned Reference Court for its fresh adjudication, while keeping in view the interest of justice, so that none of the parties is prejudiced. Accordingly, the Award dated 30.01.2001 passed by the learned Reference Court is hereby set aside. The matter is remitted back to the learned Reference Court. Both the parties are directed to appear before the learned Court on 27.03.2026. Records of the learned Reference Court be sent back immediately.

[7]. The learned Reference Court shall frame a specific issue with respect to the apportionment of the compensation and provide sufficient opportunity to both the parties to prove the their respective claims followed by adjudication upon the merit of the case. Considering the fact that the acquisition in the present case commenced vide notification dated 09.03.1995 issued under Section 4 of the 1894 Act, the learned Reference Court is requested to expedite the proceedings and conclude the same preferably within one year from the date of receipt of certified copy of this order.

[8]. In view of above, the present appeal is disposed of. All pending application(s), if any, shall also stand disposed of.

March 12, 2026  
*Atik*

(HARKESH MANUJA)  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |