IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

133 (19 cases)
1. RFA No.5681 of 2012 (O&M)
with other 18 connected cases
Date of Decision: 16.03.2026

MEHAR SINGH (SINCE DECEASED) TH. HIS LR AND ORS.
.....Appellants

Vs

STATE OF HARYANA THROUGH COLLECTOR, KARNAL AND ORS.
..Respondent(s)

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Ms. Pearl Narang, Advocate
Mr. Prikshit Singla, Advocate
Mr. Ravinder Kumar, Advocate
Mr. Madan Pal, Advocate
Mr. Shamsher Singh, Advocate
Mr. Pankaj Bali, Advocate
Mr. Sukhdev Singh, Advocate for
Mr. Vikram Singh, Advocate
Mr. Ankur Malik, Advocate
for the appellant(s)/landowner(s).

Mr. Abhinash Jain, D.A.G., Haryana on instructions
Sh. Naresh Kumar, SDE, PWD B&R, Karnal and
Sh. Sanjeev Tanwar, SDO, Sub-Divisional Engineer
Provincial Sub-Division, PWD B&R Assandh
Sh. Naresh Kumar, SDC, PWD B&R, Karnal.

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HARKESH MANUJA, J. (Oral)

[1]. Vide this common order, the present appeals bearing RFA Nos.5681, 5682, 5683, 5684 of 2012, 2459; 2460, 5587, 4975 of 2013; 1619, 1620, 1125, 162 of 2016 and 2751, 3531, 4636, 2767, 1470, 1977 & 2457 of 2017 (O&M) are being decided as all these appeals have arisen out of common acquisition and involve identical facts and questions of law.

[2]. In all the aforementioned appeals, the appellant(s)-landowner(s) are seeking further enhancement of compensation against their acquired land. Briefly

stating, in the present case(s), land measuring 21.46 acres, situated within the revenue estate of village Thari, Hadbast No.79, Tehsil Assandh, District Karnal; 22.40 acres situated within the revenue estate of village Phaphrana, Hadbast No.94, Tehsil Assandh, District Karnal and 6.60 acres situated within the revenue estate of village Assandh, Hadbast No.84, Tehsil Assandh, District Karnal, was acquired vide common Notifications dated 07.02.2007 and 05.04.2007 issued under Sections 4 & 6 of the Land Acquisition Act, 1894 (for short the '1894 Act') respectively for the common public purpose, namely, *"for the construction of a road to Sugar Mill, Assandh (Village Phaphrana) from Kohand-Munak-Salwan-Assandh road to Karnal-Assandh-Jind road along Nardak Distributory via Thari in Karnal District".* Award under Section 11 of the 1894 Act was passed by the Land Acquisition Collector (for short 'the LAC') and the market value along with all other statutory benefits and interests provided under the 1894 Act, was assessed in respect of the acquired land in the following manner:-

Village	Date of Award	Amount assessed (per acre)
Assandh	12.07.2007	Rs.10,00,000/-
Thari	13.07.2007	Rs.10,00,000/-
Phaphrana	20.09.2007	Rs.10,00,000/-

[3]. Dissatisfied with the Award passed by the LAC, the appellant(s)/landowner(s) invoked Reference(s) under Section 18 of the 1894 Act before the learned Additional District Judge, Karnal (for short 'the Reference Court'). The reference petitions(s) filed by the landowners pertaining to the revenue estate of village Thari were dismissed by the learned Reference Court vide its award dated 30.04.2012, whereas the reference(s) field by the landowners

pertaining to the revenue estates of villages Phaphrana and Assandh were partly accepted thereby, enhancing the compensation @ Rs.12,00,000/- per acre vide award dated 25.10.2012 for village Phaphrana and Rs.18,22,220/- per acre vide award dated 20.02.2013 for village Assandh.

[4]. Aggrieved thereof, the present appeals were preferred by the appellant(s)/landowner(s). For the nature of issues raised and keeping in mind the settled legal principles, this Court deem it appropriate to segregate the consideration in the present case(s) on villages-wise basis.

Village: Phaphrana

[5]. For the sake of convenience, the facts are being culled out from RFA No.5587 of 2013.

[6]. The appellant(s)/landowner(s) are in appeal against the Award dated 25.10.2012 passed by the learned Reference Court, whereby the reference petition filed by them under Section 18 of the 1894 Act, for enhancement of compensation was partly accepted, granting enhanced market value @ Rs.12,00,000/- per acre along with statutory benefits and interest under the 1894 Act.

[7]. Impugning the aforesaid Award, learned counsel for the appellant(s)/landowner(s) submits that though the learned Reference Court rightly placed reliance upon the sale deeds dated 04.11.2004 (Ex.P-2) and 21.05.2004 (Ex.P-3) pertaining to the revenue estate of village Phaphrana, however, it failed to grant appreciation on the base price derived from such sale instances for the period between the date of sale deeds upto the date of notification issued under Section 4 of the 1894 Act in the case(s) in hand.

[7.1]. Learned counsel contends that while taking into account the locational advantage attached to the land forming part of the revenue estate of village

Phaphrana which was situated between two roads, an appreciation @ 15% per month was required to be granted. He thus, submits that the market value was to be re-assessed in favour of the appellant(s)/landowner(s).

[8]. On the other hand, learned State counsel placed on record the site plan showing the location of the acquired land *vis-a-vis* the sale instances produced by the appellant(s)/landowner(s). The authenticity of the same has not been disputed by learned counsel appearing for the landowners. The said site plan, duly signed by the Sub-Divisional Engineer, PWD, Assandh and also counter-signed by the learned State counsel, for the assistance of this Court, is taken on record as Mark 'X'.

[8.1]. Relying upon the site plan Mark 'X', learned State counsel submits that though, there was no appeal preferred from the side of respondents-State, however, the sale instances dated 04.11.2004 (Ex.P-2) and 21.05.2004 (Ex.P-3) being for small parcels of land and abutting *abadi* of village Phaphrana were not to be relied upon as the acquisition in the case(s) in hand pertained to the agricultural land located away from *abadi*. Learned State counsel further submits that the Award passed by the learned Reference Court does not call for any interference and thus, prayed for dismissal of the present appeal(s).

[9]. I have heard learned counsel for the parties and gone through the paper book as well as records of the case(s). I find substance in the submissions made on behalf of the appellant(s)/landowner(s).

[10]. In the present case(s), the respondents/State did not lead any documentary evidence in the form of sale instances, whereas the following sale deeds were produced by the appellant(s)/landowner(s) in support of their claim:-

Exhibit	Date	Village	Area	Consideration	Price per Acre
P1	28.03.2007	Uplana	93 Kanal	Rs.1,67,94,000/-	Rs.14,44,645/-
P2	25.03.2003	Salwan	8 Kanal	Rs.11,50,000/-	-
P2	04.11.2004	Phaphrana	13 Marla	Rs.1,00, 000/-	Rs.12,30,769.2/-
P3	21.05.2004	Phaphrana	6 Marla	Rs.45,000/-	Rs.12,00,000/-

[10.1]. A perusal of the aforementioned table shows that the sale instance dated 28.03.2007 (Ex.P-1) pertained to the period post notification under Section 4 of the 1894 Act in the case(s) in hand, thus cannot be relied upon. Similarly, the sale instance dated 25.03.2003 (Ex.P-2) relate to the revenue estate of village Salwan, whereas the acquisition in the present case(s) pertained to land forming part of the revenue estate of village Phaphrana, as such, the same also needs to be discarded. The remaining two sale instances dated 04.11.2004 (Ex.P-2) and 21.05.2004 (Ex.P-3) both pertained to the same revenue estate of village Phaphrana. As per the site plan (Mark 'X'), though the land parcels forming part of the above mentioned two sale instances were abutting the *abadi* of the village, however, the same was also situated in the close vicinity of the acquired land being located at the distance of less than 02 acres and thus, was infact of same nature and potential. In such circumstances, reliance placed upon by the learned Reference Court on the sale instances dated 04.11.2004 (Ex. P-2) and 21.05.2004 (Ex. P-3) particularly in view of the comparable location of the acquired land is found to be justified.

[10.2]. Moreover, no evidence was led by the respondents/State to question the genuineness or *bona fide* of the sale instances dated 04.11.2004 (Ex.P-2) and

21.05.2004 (Ex.P-3) or even raising any doubt with respect to the sale consideration recorded therein thus, the said sale instances being the most reliable and relevant evidence were rightly taken into account for the purpose of determination of market value in the present case(s). Further, considering the fact that the value of sale consideration reflected in sale instances dated 04.11.2004 (Ex. P-2) and 21.05.2004 (Ex. P-3) ranges between Rs.12,30,769.2 per acre to Rs.12,00,000/- per acre, this Court is of the opinion that taking average of both the 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……"*

[10.3]. Further, Hon'ble Apex Court in case of "***Anjani Molu Dessai vs. State of Goa"*** reported as ***(2010) 13 SCC 710*** and in the latest decision of "***Horrmal (Deceased) through his LRs and others vs. State of Haryana"*** reported as ***2024(4) RCR(Civil) 758,*** has held that where there are several sale instances of similar nature of land with prices ranging in a narrow bandwidth, the average thereof can be taken as representing the market price. The relevant extract of ***Horrmal's case (supra)*** is extracted hereunder:-

> *"28. This view has been reiterated in* ***Sh. Himmat Singh v. State of M.P., (2013) 16 SCC 392*** *where a three-judge bench of this Court consolidated various precedents to affirm that in circumstances where there are multiple sale deeds available for consideration, the Court shall rely on the highest valued exemplars unless the prices fall within a narrow range, in which case calculating an average of the values therein may be more congruous."*

[11]. Accordingly, for award of just and fair compensation to the landowners and taking into account the circumstances of the case(s) in hand, this Court deems it fit to take average of both the sale instances dated 04.11.2004 (Ex.P-2) and 21.05.2004 (Ex.P-3) produced on record before this Court for determining the market value in the present case(s). However, considering the fact that the aforementioned sale deeds relied upon above pertained to the period prior to the notification under Section 4 of the 1894 Act in case in hand which is dated 07.02.2007, therefore, for the said time gap, suitable and 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.

[11.1]. Admittedly, in the facts and circumstances of the present case(s) and on the basis of material available on record, it is evident that the revenue estate of village Phaphrana is connected on two sides by main roads; connected to the Jind-Karnal National Highway (right side, as per site plan Mark 'X') and Assandh-Jind Road (left side as per site plan Mark 'X'). Further even HAFED Sugar Mill i.e. a Semi-Public undertaking has also been established in village Phaphrana by the respondents/State and the same adds value to the land in the said village.

[11.2]. Thus, it was established that the acquired land was having significant locational and potential value attached to it, therefore, an appreciation, @ 15% per annum needs to be awarded 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. The reliance with respect to awarding of appreciation @ 15% is placed upon the case of ***Krishi Utpadan Mandi Samiti Sahaswan Dist. Badaun Thr. Its Secretary vs. Bipin Kumar & Another, Etc, 2004 (2) SCC 283.*** Relevant paragraph No.8 in this regard is reproduced hereunder:-

> *"8. However there is evidence of high potentiality. The increase of 15% given by the High Court cannot therefore be said to be unreasonable. Of*

course, the 15% increase has to be on Rs.15.40 which is the figure shown in the sale deed. It cannot be on Rs.120 as wrongly taken by the High Court. The High Court also erred in considering only three years increase whereas in fact there is four years difference between the respondent's sale deed and the acquisition proceedings. Thus taking an increase of 60% over the price of Rs.15.40 per sq. yard the value comes to Rs.24.64 per sq. yard. We accordingly set aside the order of the Reference Court and the High Court and fix value at the rate of Rs.24.64 per sq. yard. The respondent will also to be entitled to solatium and other statutory benefits under the Land Acquisition Act, 1894."

Applying the same, the average value comes to Rs.16,67,642/- 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)**
P-2/ 04.11.2004	12,30,769.20	07.02.2007	2 Years 03 Months 3 Days	15%	417,281/-	16,48,051.00
P-3/ 21.05.2004	12,00,000.00	07.02.2007	2 Years 8 Months 13 Days	15%	487,233/-	16,87,233.00
			Total			**33,35,284.00**
	Average of sale deeds		Rs. 33,35,284÷ 2			**16,67,642.00**
	Net amount					**16,67,642.00**

[12]. Insofar as the deduction on basis of smallness of the land parcels forming part of the both the sale exemplars dated 04.11.2004 (Ex.P-2) and 21.05.2004 (Ex.P-3) measuring 13 marlas and 6 marlas respectively *vis-a-vis* the acquired land measuring 22.10 acres is concerned, this Court is not inclined towards applying the same as the land parcels forming part of the sale exemplars are located in close geographical proximity to the acquired land; at a mere distance of 02 acres. Furthermore, the fact that the sale exemplars Ex.P-2 and Ex.P-3

pertained to small parcels of land, it becomes evident that the land parcel in the close vicinity of the acquired land was having potential value for being sold in small parcels for residential or commercial purposes. Also, 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 two sale deeds, becomes 19 marlas (almost 1 Kanal), which cannot be considered a small parcel of land, thus, in the humble opinion of this Court, no deduction needs to be applied towards smallness of the area in the case(s) in hand.

[13]. Further, in the given facts since the acquisition in the case(s) in hand was carried out for the public purpose, namely, *"for the construction of a road to Sugar Mill, Assandh (Village Phaphrana) from Kohand-Munak-Salwan-Assandh road to Karnal-Assandh-Jind road along Nardak Distributory via Thari in Karnal District"* as such, the respondents neither suffered any loss towards optimum utilization of the area acquired nor did it incur expenditure towards providing of additional infrastructural amenities, thus, no cut towards development cost needs to be imposed.

[14]. Accordingly, the market value as regards the acquired land in village Phapharana is assessed @ **Rs. 16,67,642/-** per acre as on the date of notification under Section 4 of the 1894 Act. In addition, the landowners shall also be entitled for award of all statutory benefits and interest as provided under the provisions of the 1894 Act (amended upto date). The landowners shall also be entitled for solatium besides award of interest thereupon.

[15]. Consequently, in view of the discussion made hereinabove, the appeals preferred at the instance of appellants/landowners in respect of revenue estate of village Phaphrana, are hereby partly allowed in the aforesaid terms. It is

further added that the appellants/landowners shall not be entitled to interest for the period of delay in filing/re-filing the appeal(s) as the case may be.

Village: Thari

[16]. For the sake of convenience, the facts are being noticed from **RFA No.5681 of 2012**.

[17]. In the present case(s), the acquisition was carried out for the public purpose, namely *"for the construction of a road to Sugar Mill, Assandh (Village Phaphrana) from Kohand-Munak-Salwan-Assandh road to Karnal-Assandh-Jind road along Nardak Distributory via Thari in Karnal District"* vide notification dated 07.02.2007 and 05.04.2007 issued under Sections 4 and 6 of the 1894 Act respectively in three different revenue estate of village namely Thari, Phaphrana and Assandh, District Karnal. For village Thari, Award under Section 11 of the 1894 Act was passed by the LAC on 13.07.2007. The complete details of the acquisition has already been given in the preceding part of the judgment.

[17.1]. The appellants/landowners are in appeal against the Award dated 30.04.2012 passed by the learned Reference Court, whereby the reference petition(s) filed by them under Section 18 of the 1894 Act, for enhancement of compensation awarded by the LAC, were dismissed.

[18]. I have heard learned counsel for the parties and gone through the paper book as well as records of the case(s). I find substance in the submissions made on behalf of the appellant(s)/landowner(s).

[19]. In the present case(s), the respondents/State did not lead any documentary evidence in the form of sale instances, whereas the following sale deed was produced by the appellants/landowners in support of their claim:-

Exhibit	Date	Village	Area	Consideration	Remarks
P7	30.05.2007	Jalmana	2 K 13 M	Rs.6,95,625/-	Post notification 2 Km away from the acquired land.

[19.1]. A perusal of the above table shows that the sale instance dated 30.05.2007 (Ex.P-7) pertain to the revenue estate of village Jalmana and as depicted from the site plan Mark 'X', the land parcel therein is located far away from the acquired land, thus the said sale instance dated 30.05.2007 (Ex.P-7) cannot be relied upon for the purpose of determination of market value in the case(s) in hand.

[19.2]. Further, from the site plan (Mark 'X'), it is evident that the acquired land of the revenue estate of village Thari was located in between the acquired land of village Phaphrana (towards left side) and the National Highway leading from Jind to Karnal (on the right side). In such circumstances, it is apparent that the land parcel forming part of the revenue estate of village Thari which abuts the National Highway leading from Jind to Karnal, thus carried the similar potential as that of the land acquired from village Phaphrana. Since there is no direct or substantive evidence led by the respondent-State to counter this factual aspect, as such, the appellants-landowners are awarded the benefit of same market value @ Rs.16,67,642/- per acre as on the date of notification under Section 4 of the 1894 Act as assessed in favour of the landowners pertaining to the revenue estate of village Phaphrana in the preceding part of this judgment.

[20]. Accordingly, the market value as regards the acquired land in village Thari is assessed @ **<u>Rs.16,67,642</u>**/- per acre as on the date of notification under Section 4 of the 1894 Act. In addition, the landowners shall also be entitled for

award of all statutory benefits and interest as provided under the provisions of the 1894 Act (amended upto date). The landowners shall also be entitled for solatium besides award of interest thereupon.

[21]. Consequently, in view of the discussion made herein above, the appeals preferred at the instance of appellants/landowners in respect of revenue estate of village Thari, are hereby partly allowed in the aforesaid terms. It is further added that the appellants/landowners shall not be entitled to interest for the period of delay in filing/re-filing the appeal(s) as the case may be.

<u>Village: Assandh</u>

[22]. For the sake of convenience, the facts are being noticed from RFA <u>No.1470 of 2017</u>.

[23]. The appellants/landowners are in appeal against the Award dated 20.02.2013 passed by the learned Reference Court, whereby the reference petition filed by them under Section 18 of the 1894 Act, for enhancement of compensation awarded by the LAC, was partly accepted while assessing market value @ Rs.18,22,220/- per acre besides grant of other statutory benefits and interests.

[24]. Learned counsel for the appellants/landowners submits that though the learned Reference Court rightly relied upon the sale instances dated 15.02.2006 (Ex.P-2), 11.09.2006 (Ex.P-3) and 13.10.2006 (Ex.P-4) and took average of the base price thereunder, however, it erred having applied 55% deduction towards smallness of land parcels forming part of the above-mentioned sale instances, besides noticing that the land sold thereunder was of residential nature.

[24.1]. Learned counsel further submits that in the given facts and circumstances, since the revenue estate of village Assandh was abutting the National Highway leading from Jind to Karnal, it was evident that it enjoyed significant locational advantage attached to it, thus, lesser deduction was required to be applied on the average sale price per acre derived from the sale instances dated 15.02.2006 (Ex.P-2), 11.09.2006 (Ex.P-3) and 13.10.2006 (Ex.P-4). He prays that the market value was thus required to be re-assessed/revised accordingly.

[25]. Per contra, learned State counsel submits that the learned Reference Court erred having relied upon the sale instances dated 15.02.2006 (Ex.P-2), 11.09.2006 (Ex.P-3) and 13.10.2006 (Ex.P-4) as the same pertained to residential plots forming part of *abadi* of Assandh Town, whereas the acquired land was agricultural in nature thus, there was no similarity of nature and potential therein.

[25.1]. Learned State counsel also points out that the land parcels forming part of sale instances dated 15.02.2006 (Ex.P-2), 11.09.2006 (Ex.P-3) and 13.10.2006 (Ex.P-4) were near to the National Highway leading from Karnal to Jind, whereas the acquired land from the revenue estate of village Assandh was at a distance of around 8-9 acres away from the National Highway, consequently, the aforementioned sale instances ought not to be taken into account for assessing the market value in the present case(s). Learned State counsel thus, prays that the Award passed by the learned Reference Court was liable to be set aside and the Award passed by the LAC was to be restored.

[26]. I have heard learned counsel for the parties and gone through the paper book as well as records of the case(s).

[27]. In the present case(s), the respondents/State did not lead any documentary evidence in the form of sale instances, whereas the following sale deeds were produced by the appellant(s)/landowner(s) in support of their claim:-

Exhibit	Date	Village	Area	Consideration	Remarks
P-2	15.02.2006	Assandh	10 M	Rs.3,00,000/-	Rs.48,00,000/- per acre
P-3	11.09.2006	Assandh	1 K 8 M	Rs.6,90,000/-	Rs.39,42,857/- per acre
P-4	13.10.2006	Assandh	1 K 18 M	Rs.11,80,000/-	Rs.49,68,421/- per acre

[28]. A perusal of the site plan (Mark 'X') shows that the sale instances dated 15.02.2006 (Ex.P-2), 11.09.2006 (Ex.P-3) and 13.10.2006 (Ex.P-4) formed part of the *abadi deh* of Assandh Town and the land parcels thereunder were located at a distance of 10 to 11 acres from the acquired land, however, to justify the geographical difference and also maintain balance between the rights of the parties, the learned Reference Court has applied suitable cut of 55% over the average price derived from sale exemplars. Considering the fact that the acquired land abuts the major district roads leading from Assandh to Jind, in the humble opinion of this Court, no interference is called for with the findings recorded by the learned Reference Court, whereby the determination of market value with respect to the acquired land from the revenue estate of village Assandh has been made on the basis of average base price per acre derived from the sale instances dated 15.02.2006 (Ex.P-2), 11.09.2006 (Ex.P-3) and 13.10.2006 (Ex.P-4).

[29]. Furthermore, keeping in view the fact that the acquired land from village Assandh abuts the major district roads leading from Assandh to Jind and the total area of the sale instances dated 15.02.2006 (Ex.P-2), 11.09.2006 (Ex.P-3) and 13.10.2006 (Ex.P-4) measures 3 Kanals 16 Marlas, the deduction applied for @ 55% towards smallness of area is reasonable and justified.

[30]. At this stage, it may be noticed here that the land was acquired for the public purpose namely *"for the construction of a road to Sugar Mill, Assandh (Village Phaphrana) from Kohand-Munak-Salwan-Assandh road to Karnal-Assandh-Jind road along Nardak Distributory via Thari in Karnal District"* forming part of three revenue estates of village Thari, Phaphrana and Assandh. The particulars thereunder are reproduced hereunder:-

Village	**Thari**	**Phaphrana**	**Assandh**
District	Karnal	Karnal	Karnal
D.O.N. U/s 4	07.02.2007	07.02.2007	07.02.2007
D.O.N. U/s 6	05.04.2007	05.04.2007	05.04.2007
Area	21.46 Acre	22.40 Acre	6.60 Acre
Purpose	For the construction of a road to Sugar Mill, Assandh (Village Phaphrana) from Kohand-Munak-Salwan-Assandh road to Karnal-Assandh-Jind road along Nardak Distributory via Thari in Karnal District.		
LAC Award	Rs.10,00,000/-	Rs.10,00,000/	Rs.10,00,000/-
RC Award date	30.04.2012	25.10.2012	20.02.2013
RC Award	Rs.10,00,000/- (reference dismissed)	Rs.12,00,000/-	Rs.18,22,220/-

[30.1]. A perusal of the above table shows that the Land Acquisition Collector passed three different Awards for three different revenue estates, however, awarded the uniform market value @ Rs.10,00,000/- per acre, probably assuming that the nature, location and potential therein were similar in all respects. Later, for the revenue estate of village Assandh, the learned Reference Court awarded Rs.18,22,220/- per acre, However, taking into account the fact that the "Assandh Town" is located on Panipat-Jind Road, in the humble opinion of this

Court, it may not be justifiable for this Court to reduce and award the same market value @ Rs.16,67,642/- per acre in favour of the appellant(s)/landowner(s) for the revenue estate of Assandh especially keeping in mind the distinct evidence adduced by them by way of sale instances dated 15.02.2006 (Ex.P-2), 11.09.2006 (Ex.P-3) and 13.10.2006 (Ex.P-4).

[32]. In view of above, the market value, assessed @ Rs.18,22,220/- per acre by the learned Reference Court pertaining to the revenue estate of village Asandh, cannot be said to be unjustified or unfair. The learned Reference Court, thus having passed the award based on proper appreciation of material evidence available on record, therefore, calls for no interference in the present appeal(s), as such the same are found to be devoid of merit and thus, **dismissed**.

[33]. Wherever the landowner(s) has/have unfortunately expired in the appeal(s)/cross-objection(s) after filing thereof and the legal heirs have not been impleaded, they shall be at liberty to seek execution of the present decision by moving appropriate application(s) before the learned Executing Court.

[34]. All pending application(s), if any, shall also stand disposed of.

[35]. A photocopy of this order be placed on the files of all other connected cases.

(HARKESH MANUJA)
JUDGE

March 16, 2026
Atik

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