



301 (11 cases)

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

**RFA No. 667 of 2016 (O&M)
and “10” connected cases
Date of Decision: 18.05.2026**

Zile Singh and others

...Appellants

Versus

State of Haryana through Collector, Jind

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. R.N. Lohan, Advocate
for the appellant(s)-landowner(s).

Mr. Abhinash Jain, Deputy Advocate General, Haryana
for the appellant(s)-State of Haryana.

HARKESH MANUJA, J. (ORAL)

This order shall decide the present eleven (11) appeals bearing RFA Nos. **667 (lead case)**, 392, 393, 668, 669, 670 & 671 of **2016**; 2078, 2079 & 4840 of **2012**; and 1085 of **2013**; as the same arise out of common acquisition/award.

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

[3] The appellant(s)-landowner(s), by way of present appeal(s) preferred under Section 54 of the Land Acquisition Act, 1894 (**for short “1894 Act”**), seek modification of the award(s) dated 08.02.2012, 15.12.2011 & 09.02.2012 passed by the learned Additional District Judge, Jind (**hereinafter to be referred as “Reference Court”**), for enhancement of compensation amount.

FACTS

[4] The relevant date(s) / particulars of the acquisitions are
as under:-

Particulars	Relevant date / description
Notification under Section 4 of the Land Acquisition Act, 1894	23.04.2000
Final declaration under Section 6 of the Land Acquisition Act, 1894	12.08.2000
Village(s)	(i) Khema Kheri (ii) Bibipur; (iii) Ram Kali; and (iv) Kinana
Total Extent acquired	(i) 62K-12M (Khema Kheri) (ii) 1.96 acre (Bibipur) (iii) 107K-13M (Ram Kali); and (iv) 144K-01M (Kinana)
Tehsil & District	Jind
Public Purpose	Construction of Ram Kali Minor
Land Acquisition Collector’s Award No. & Date	3 dated 08.11.2000 (Village Khema Kheri) 5 dated 24.11.2000 (Village Bibipur) 1 dated 12.10.2000 (Village Ram Kali) 6 dated 12.01.2001 (Village Kinana)
Land Acquisition Collector’s Award	(i) Village Khema Kheri Rs. 1,60,000/- per acre for Nahri land and Rs. 1,50,000/- per acre for Chahi land alongwith other statutory benefits provided under the Land Acquisition Act, 1894. (ii) Village Bibipur Rs. 1,50,000/- per acre for Chahi land alongwith other statutory benefits provided under the Land Acquisition Act, 1894. (iii) Village Ram Kali Rs. 1,60,000/- per acre for Nahri land alongwith other statutory benefits provided under the Land Acquisition Act, 1894.

	(iv) Village Kinana Rs. 1,75,000/- per acre for Nahri land and Rs. 1,60,000/- per acre for Chahi land alongwith other statutory benefits provided under the Land Acquisition Act, 1894.
Reference Court's Award Date	(i) 08.02.2012 / two awards of even date (Villages Khema Kheri and Bibipur); (ii) 15.12.2011 (Village Ram Kali); and (iii) 09.02.2012 (Village Kinana)
Reference Court's Award	Reference(s) accepted; Rs. 3,05,000/- per acre for Nahri/Chahi land; Rs. 15,000/- each for the tubewells installed in the acquired land of all the villages except for Village Bibipur in which the learned Reference Court awarded Rs. 30,000/- each for the tubewells and Rs. 15,000/- for the Kotha installed in the acquired land.

[5] Dissatisfied with the aforesaid award(s) dated 08.02.2012, 15.12.2011 & 09.02.2012, passed by the learned Reference Court, the present appeal(s) have been preferred at the instance of appellant(s)-landowner(s).

DISCUSSION AND REASONING

[6] I have heard learned counsel for the parties and gone through the paper-book/relevant record.

[7] It is pertinent to note that in the present case(s), the appellant(s)-landowner(s) have failed to produce any sale transaction so as to substantiate their claim towards grant of enhanced compensation. In such circumstances, considering the nature of the 1894 Act, being a beneficial legislation to grant just and fair

compensation to the landowners and in furtherance of the substantial justice, recourse is taken to the Government Policy presented before this Court.

[8] It is not disputed that the Government of Haryana had issued policies from time to time whereby minimum market price for acquisition of land in the State of Haryana was fixed. Vide Policy dated 28.04.2005 which provided that all the landowners in whose cases the Award of Collector was announced on or after 05.03.2005 irrespective of date of notification under Section 4 of the 1894 Act shall be entitled to minimum compensation @ Rs. 5,00,000/- per acre. As such, in case the market value is assessed on the basis of the Government Policy dated 28.04.2005, by taking Rs. 5,00,000/- per acre as base price, after applying suitable deduction for the time period between the date of Notification under Section 4 of the Act and the date of the Government Policy; as per the principles of doctrine of de-escalation @ 7.5% for the period between 23.04.2000 (Notification under Section 4 of the 1894 Act) and 28.04.2005 (Government Policy), in view of the decision rendered by the Hon'ble Apex Court in ***The General Manager, Oil & Natural Gas Corporation Ltd. vs. Rameshbhai Jivanbhai Patel*** reported as ***2008(4) RCR (Civil) 487***, whereby it was held that in absence of any specific evidence relating to the actual change in prices, increase or decrease in market value can be taken about 5% to 8% per annum for rural areas; the market value comes around to Rs. 3,00,000/- per acre as assessed by the learned Reference Court.

[9] Therefore, once the Government itself vide policy dated 28.04.2005 prescribed the market price to be Rs. 5,00,000/- per acre

which after suitable deductions comes around to Rs.3,00,000/- per acre on the date of notification issued under Section 4 of the 1894 Act in the present case(s) and is not significantly different than that of market value assessed by the learned Reference Court which is Rs.3,05,000/- per acre, no interference is called for in the award(s) dated 08.02.2012, 15.12.2011 & 09.02.2012 passed by learned Reference Court, whereby the market value was enhanced to Rs. 3,05,000/- per acre, besides all other benefits as provided under the 1894 Act.

[10] Consequently, all the **appeals** filed by the appellant(s)-landowners are **dismissed**.

[11] Pending miscellaneous application(s), if any, shall stand(s) disposed off.

May 18, 2026

‘dk kamra’

**(HARKESH MANUJA)
JUDGE**

Whether Speaking / Reasoned :	Yes	No
Whether Reportable :	Yes	No