



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RFA-1204-2025 (O&M)
Date of Decision: 11.05.2026

Man Singh and othersAppellants

Versus

State of Haryana
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Manish Kumar Garg, Advocate
Mr. Ashish Gupta, Advocate and
Mr. A.K. Kansal, Advocate (through VC) and
Mr.Shadab Ahmad, Advocate
Mr. Arihant Jain, Advocate
Mr. Arun Jindal, Advocate
Mr. Mr. Dhruv Mittal, Advocate
Ms. Palak Arora, Advocate for
Mr. S.K. Verma, Advocate
Mr. Gurdeep Singh Bidha, Advocate
Mr. Saurabh Dalal, Advocate
Ms. Riya Kangra, Advocate for
Mr. Sunil Saharan, Advocate
for the landowners.

Mr. Abhinash Jain, DAG, Haryana.
Mr. Bhupender Ahlawat, District Attorney, STC (HQ).
Mr. Arwind Sharma, Deputy Transport Controller,
State Transport Department Haryana (HQ),
Mr. Rahul Jain, General Manager, Jind.
Ms. Palvindra Kaur, Deputy District Attorney,
STC, Haryana (HQ).
Mr. Sunny, Patwari, DRO, Jind.
Mr. Praveen Kumar, Clerk,
Haryana Roadways, Jind Depot.

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HARKESH MANUJA, J. (ORAL)

CMs-790-791-CI-2026 in RFA-359-2026

CMs-962-963-CI-2026 in RFA-412-2026

CMs-1429-1430-CI-2026 in RFA-680-2026

CM-614-CI-2026 in RFA-264-2026

Applications for condonation of delay in re-filing and filing the appeals are allowed as prayed for subject to all just exceptions.

CMs-961-CI-2026 in RFA-412-2026

Application for permitting the LRs of Kaptan (appellant No.3), who expired on 22.05.2025 (before filing of the appeal) to file and pursue the present appeal is allowed as prayed for, subject to all just exceptions. The applicants mentioned in para No.1 of the application are ordered to be brought on record as legal representatives of appellant No.3-Kaptan, to pursue the present appeal.

CM-1431-CI-2026 in RFA-680-2026

Application for permitting the LRs of Mam Kaur (appellant No.1), who expired on 28.11.2019 (before filing of the appeal) to file and pursue the present appeal is allowed as prayed for, subject to all just exceptions. The applicants mentioned in para No.1 of the application are ordered to be brought on record as legal representatives of appellant No.1-Mam Kaur, to pursue the present appeal.

MAIN CASE(S)

Vide this common order, a bunch of 29 Regular First Appeals, details of which are given in the footnote of this judgment, are being decided as all the appeals have arisen out of common acquisition/Award involving identical facts and question of law. For the sake of brevity, facts are being taken from **RFA No.1204 of 2025.**

2. By way of present appeal(s), challenge has been laid to the Award dated 04.08.2025 passed by the learned Addl. District Judge, Jind (hereinafter to be referred as the ***'Reference Court'***).

3. Briefly stating, in the present case(s), land measuring 95 kanals 15 marlas situated within the revenue estate of Village Pindara, District Jind was acquired vide Notifications dated 08.08.2013 and 20.05.2014 issued under Sections 4 & 6 of the Land Acquisition Act, 1894 (for short the ***'1894 Act'***), respectively for the public purpose, namely, "*Transport Communication*". Award by the Land Acquisition Collector (for short ***'the LAC'***) was passed on 07.01.2016 under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short the ***'2013 Act'***), thereby, determining the market value of the acquired land @ Rs.45,00,000/- per acre besides award of all other statutory benefits and interests provided under the 1894 Act.

4 Dissatisfied with the Award passed by the LAC, the appellants/ landowners preferred reference petition(s) under Section 64 of the 2013 Act, which were partly allowed by the learned

Reference Court vide its decision dated 04.08.2025 while granting enhanced compensation @ Rs.4,50,00,000/- per acre including 100% solatium along with interest and other statutory benefits/interest under the 2013 Act. Aggrieved thereof, the present appeal(s) were preferred at the instance of appellants-landowners as well as respondent-State.

CONTENTION(S):
ON BEHALF OF THE APPELLANTS-LANDOWNERS:-

5. Learned counsel for the appellants/ landowners submits that for the purpose of determination of market value, the learned Reference Court erred having not relied upon the sale instance dated 27.11.2006 (Ex.P29) vide which 101 Kanals – 4 Marlas of land forming part of the same revenue estate of Village Pindara, was sold for Rs.8,47,55,000/- with the base price of Rs.67,00,000/- per acre.

5.1. Learned counsel further submits that in view of the time gap of approximately 6 years 8 months between the date of sale deed Ex.P29 and the date of notification under Section 4 of the Act in the case(s) in hand, an appreciation @ 15% per annum on cumulative basis over the base price per acre derived from sale instance dated 27.11.2006 (Ex. P29) ought to be granted, especially when, the acquired land formed part of the Municipal Limits, Jind and was also located within the National Capital Region territory. He thus, submits that on the basis of evidence available on record, the market value was required to be re-assessed and the appeal(s)

preferred at the instance of landowners were to be allowed whereas the appeal(s) filed by the State were to be dismissed.

ON BEHALF OF THE RESPONDENT-STATE:-

6. Per contra, learned counsel appearing on behalf of the respondent State submits that rather than relying upon the sale instance dated 27.11.2006 (Ex.P29) which was executed approximately 7 years prior to the acquisition in hand, the sale deed Ex.P7 dated 25.11.2015 vide which 4 kanals of land forming part of the same revenue estate of Village Pindara sold for Rs.50,00,000/- with the base price of Rs.1 crore per acre; was required to be relied upon. He also points out that though the aforesaid sale instance pertained to the period subsequent to the notification under Section 4 of the 1894 Act in case(s) in hand, the land parcel forming part of the sale instance Ex.P7 pertained to the same rectangle number as the acquired land, thus, it would be more appropriate to rely upon the same to assess the market value by applying the principle of de-escalation for the time gap between the said sale instance up to the date of notification under Section 4 of the 1894 Act.

6.1. Learned State counsel further submits that the acquired land was admittedly located within the Municipal Limits of Jind and as such, the multiplication factor of 1.25 in terms of Section 26 (2) as specified in First Schedule of the 2013 Act, was not to be made applicable. Learned State counsel further points out that while computing the final market value of the acquired land, the learned

Reference Court committed an arithmetical error, resulting in an excessive and incorrect award of compensation which needs to be rectified accordingly. In view of the aforesaid submissions, learned counsel for the respondent submits that the appeal(s) filed at the instance of State were required to be allowed and that of the appellants/ landowners were to be dismissed.

DISCUSSION AND REASONING: -

7. I have heard learned counsel for the parties and gone through the contents of the paper-book.
8. Before proceeding further, following are the details of two sale deeds relied upon by the respective parties during the course of making their submissions: -

Details of sale instances: -

<u>Sr. No.</u>	<u>Sale Exhibits</u>	<u>Date of sale deed</u>	<u>Area</u>	<u>Name of village</u>	<u>Total Sale consideration (Rs.)</u>	<u>Value per acre</u>
1.	Ex.P7	27.11.2015	4 Kanal	Pindara	Rs.50,00,000/-	Rs.1,00,00,00/-
2.	Ex.P29	27.11.2006	101K-4M	Pindara	Rs.8,47,55,000/-	Rs.67,00,000/-

9. Pertinently, the concerned official, present in Court along with the learned State counsel, has submitted that the Collector rate for the revenue estate of Village Pindara, District Jind, for the year 2006-2007 was Rs. 20,00,000/- per acre, which stood enhanced to Rs. 1,00,00,000/- per acre for the year 2015-2016, thereby indicating a significant appreciation in land values in the vicinity of the acquired land. However, it is relevant to note that Collector rates are

maintained solely for the purpose of levy of stamp duty under the Stamp Act and, therefore, cannot exclusively form the foundation for determination of market value in land acquisition proceedings and need not be taken into account for the said purpose. Reliance is being placed upon the decision of the Hon'ble Apex Court in ***U.P. Jal Nigam, Lucknow v. M/s. Kalra Properties (P) Ltd. Lucknow*** reported as **1996(3) SCC 124** whereby, it was held that the market value cannot be fixed solely on the basis of the rates mentioned in the basic valuation registers. These registers are maintained to curb the under-valuation of land, a practice adopted to evade the payment of proper stamp duty. The relevant portion thereof are extracted hereunder:-

- “5. *This Court in Jawajee Nagnatham v. Revenue Divisional Officer, Allahabad, A.P., (1994) 4 SCC 595, had considered whether market value of the acquired land would be determining on the basis of basic valuation register maintained by the Collector for the purpose of levy of stamp duty under the Stamp Act and the method of valuation on that basis is valid in law. This question was considered in extenso in the context of the power of the State under Section 47A of the Stamp Act to fix the basic valuation for stamp duty. After elaborate survey of the amendment made by the State legislature by local amendment to the Stamps Act under Section 47A, this Court had held that the market value shall be determined only on the basis of the evidence adduced by the claimant and in rebuttal thereof by the State, as to the prevailing market value of that particular land. The basic valuation is only for the purpose of collecting the stamp duty and that, therefore, it cannot form foundation to determine the market value.*

6. *The finding of the Court that the concession that the market value determined by the Collector on the basis of basic valuation would be properly applied, is obviously illegal. Shri Gopal Subramaniam contended that the Government of U. P. had issued three different circulars accepting the position that the basic valuation would form basis for determination of the compensation under Section 23 (1) and that, therefore, the High Court was right in accepting the valuation made by the Collector and in directing to pay the compensation on that basis. After the judgment in Nagnathan's case (supra), the Division Bench of the High Court of Allahabad in State of U.P. v. Shau Singh (1995 HVD Vol. 1 191) held that the rates fixed for the collection of stamp duty cannot be relied upon to determine market value. Therefore, the instructions issued by the Government for determination of the market value on the basis of basic valuation register were held illegal. The Collector, therefore, was obviously wrong in determining the compensation under Section 23 (1) on the basis of prevailing rates in 1992 as per basic valuation circulars.”*

9.1. Moreover, a perusal of the above chart shows that sale instance dated 25.11.2015 (Ex.P7), pertaining to the revenue estate of Village Pindara, reflected the base price per acre of Rs.1 crore which is identical to the rates fixed by the Collector for the purpose of payment of stamp duty on the registration of sale deeds. This Court is mindful of the fact that as a matter of common practice, the sale deeds are often executed at a value below the prevailing market rate to avoid the payment of stamp duty, thus, the aforementioned sale deed cannot be considered as reliable piece of evidence reflecting the correct prevailing market value at relevant point of time in the

humble opinion of this Court. My aforesaid view is supported by observations made by the Hon'ble Apex Court in case of ***Haryana State Industrial Development Corp. v. Pran Sukh*** reported as **2010 (11) SCC 175**. The relevant paras 22 is extracted hereunder:-

“22. ***In our view, the learned Single Judge did not commit any error by relying upon sale transaction Exhibit P1 for the purpose of fixing market value of the acquired land. Undisputedly, that sale transaction was between two corporate entities and the entire sale price was paid through bank drafts. It is also not in dispute that the land which was subject-matter of Exhibit P1 is situated at village Naharpur Kasan and is adjacent to the acquired land. The Corporation and the State Government did not adduce any evidence to prove that the land sold vide Exhibit P1 was over-valued with an oblique motive of helping the land owners to claim higher compensation. Therefore, we do not find any justification to discard or ignore sale deed Exhibit P1. The refusal of the learned Single Judge to rely upon other sale transactions in which sale price of the land was shown as Rs. 7 lakhs per acre also does not suffer from any legal infirmity because its well-known that transactions involving transfer of properties are usually undervalued with a view to avoid payment of the requisite stamp duty and registration chargs.***

In view of the discussion made hereinabove, this Court is of the considered view that the sale instance dated 25.11.2015 (Ex. P-7) is not a reliable indicator of market value, the same having apparently been executed at the minimum basic Collector rate fixed for the area

rather than reflecting the price that a willing purchaser would genuinely offer to a willing seller in an open market. Thus, the same need not to be taken into account for determining the market value.

10. On the other hand, as per the record, the land forming part of the sale instance Ex. P-29 is situated in close proximity to the acquired land; the distance between the two being approximately 2 to 4 acres only. In such circumstances, sale instance dated 27.11.2006 (Ex.P29) pertaining to the same revenue estate of Village Pindara, being the best suitable sale exemplar, needs to be relied upon for the purposes of assessment of market value in the present case(s).

11. As per the sale instance dated 27.11.2006 (Ex.P29), 101K-4M of land was sold for Rs.8,47,55,000/- with the base price of Rs.67,00,000/- per acre. Taking into account the fact that there exists a time gap of approximately 6 years 7 months and 15 days between the date of sale instance Ex.P29 (27.11.2006) and the notification issued under Section 4 of the Act in the case(s) in hand (08.08.2013), therefore, for the said time period, an appropriate appreciation needs to be awarded in favour of the appellants-landowners. The learned Reference Court, upon appreciation of the evidence on record, recorded the following findings of fact, which are clearly indicative of a rapid and consistent rise in land prices in the vicinity of the acquired land owing to its locational advantages:-

“28. The undisputed fact is that vide awards Ex. P33 and Ex. P34, the land was acquired for the National Highway in front of the acquired land, the

notifications of which were issued in the year 2012 i.e. prior to the notification of acquisition of the acquired land and the market value of the acquired land vide these awards was assessed as Rs. 65 lakhs per acre and 80 lakhs per acre respectively.

29. *Vide Award Ex.P35, the land of village Ashrafgarh which is admittedly far away from the acquired land of village Pindari, the compensation at the rate of Rs.65 lakhs per acre was given.....*

.....There is no evidence from the side of respondent/State that price of any land in village Pindari had ever gone down. Moreover, the evidence of the respondent in the shape of collector rates is reflective of the fact that the prices of the land in the area are rising at very fast pace.”

11.1. Moreover, from the perusal of the record it is evident that undisputedly, the acquired land situated within the Municipal limits of Jind since May 2008, fell within the territory of the National Capital Region and was also located in close proximity to State Highway No. 19 leading from Jind to Gohana, at a distance of approximately 6 acres from the said Highway, thereby, having significant locational advantage and potential value. In such circumstances, an appreciation @ 12% per annum (compounded) needs to be awarded in favour of the appellants/ landowners for the time gap between the sale instance Ex.P29 dated 27.11.2006 up to the date of notification under Section 4 of the Act in the case (s) in hand i.e. 08.08.2013 on the base price of Rs.67,00,000/- per acre derived from said sale instance and the same thus comes to Rs.1,42,16,456/- per acre.

12. Further, with respect to the contention raised on behalf of

the learned State counsel about the multiplier factor, it may be relevant to extract the paragraph No.30 from the impugned award passed by the learned Reference Court which is reproduced hereunder:-

“The petitioners are held entitled for the fair compensation as per the following calculations on amount of Rs.1 crore as mentioned under Section 64 of New Act:-

a.	<i>Date of notification under Section 4 of LAC Act 1894</i>	<i>08.08.2013</i>
b.	<i>Date of Award of LAC</i>	<i>07.01.2016</i>
c.	<i>Factor as per Section 26 (2) as specified in first schedule of Village Pindara which adjoins Jind City</i>	<i>Rs.1.25</i>
d.	<i>Rs.1,00,00,000/- x 1.25</i>	<i>Rs.1,25,00,000/-</i>
e.	<i>Compensation which comes as per Section 26 of the Act (Rs.1,00,00,000/- + Rs.1,25,00,000/-)</i>	<i>Rs.2,25,00,000/-</i>
f.	<i>100% solatium upon as per Section 30 of the New Act on the amount of (e)</i>	<i>Rs.2,25,00,000/-</i>
g.	<i>Total of (e) and (f)</i>	<i>Rs.4,50,00,000/-</i>

From the aforesaid calculations, it is evident that the learned Reference Court erred in applying the multiplier of 1.25 as per the First Schedule to the 2013 Act, by treating the acquired land as forming part of a rural revenue estate of Village Pindara. It is pertinent to note that none of the parties have disputed that though the acquired land forms part of the revenue estate of Village Pindara, it was admittedly situated within the Municipal limits of Jind and was therefore required to be treated as part of an urban area. Accordingly, in terms of the Entry No.3 in the First Schedule to the 2013 Act, a

multiplier of 1 alone was required to be applied. In that view of the matter, the application of a multiplier of 1.25 by the learned Reference Court is liable to be set aside.

13. Accordingly, the market value of the acquired land is assessed at the rate **Rs.1,42,16,456/- per acre.** In addition, the landowner(s) shall also be entitled for award of all statutory benefits and interest as provided under the provisions of the 2013 Act (amended upto date). The landowner(s) shall also be entitled for 100% solatium besides award of interest thereupon.

14. In view of the discussion made hereinabove, the appeal(s) preferred at the instance of respondent-State as well as the appeals filed at the instance of appellants/ landowners are hereby disposed of with the aforesaid modifications.

15. To ensure that the landowners are not fleeced by the middleman in the process of disbursement of compensation, the Hon'ble Supreme Court in ***Pran Sukh's case*** (supra), issued certain directions. I deem it appropriate to issue same directions in the present set of appeals as well, which are as under:-

"with a view to ensure that the land owners are not fleeced by the middleman, we deem it appropriate to issue following further directions:

- (i) The land Acquisition Collector shall depute officers subordinate to him not below the rank of Naib Tehsildar, who shall get in touch with all the land owner representatives and inform them about their entitlement and right to receive enhanced compensation.*

- (ii)

The concerned officer shall also instruct the land owners and /or their legal representatives to open saving bank account in case they already do not have such account.
- (iii)

The bank account numbers of the land owners should be given to the Land Acquisition Collector within three months.
- (iv)

(iv) The land Acquisition Collector shall deposit the cheques of compensation in the bank accounts of the land owners"

16. 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 execution 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.

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

11.05.2026
sanjay

(HARKESH MANUJA)
JUDGE

Sr. No.	Case No.
1.	RFA-1241-2025 (O&M)
2.	RFA-161-2026 (O&M)
3.	RFA-162-2026 (O&M)
4.	RFA-166-2026 (O&M)
5.	RFA-1766-2026 (O&M)
6.	RFA-1866-2026 (O&M)
7.	RFA-1950-2025 (O&M)
8.	RFA-1981-2025 (O&M)
9.	RFA-1987-2025 (O&M)
10.	RFA-2002-2025 (O&M)
11.	RFA-22-2026 (O&M)
12.	RFA-264-2026 (O&M)
13.	RFA-265-2026 (O&M)
14.	RFA-267-2026 (O&M)

15.	RFA-317-2026 (O&M)
16.	RFA-346-2026 (O&M)
17.	RFA-349-2026 (O&M)
18.	RFA-350-2026 (O&M)
19.	RFA-351-2026 (O&M)
20.	RFA-369-2026 (O&M)
21.	RFA-370-2026 (O&M)
22.	RFA-371-2026 (O&M)
23.	RFA-373-2026 (O&M)
24.	RFA-412-2026 (O&M)
25.	RFA-680-2026 (O&M)
26.	RFA-359-2026 (O&M)
27.	RFA-361-2026 (O&M)
28.	RFA-1848-2025 (O&M)

11.05.2026
sanjay

(HARKESH MANUJA)
JUDGE