



CWP No.28458 of 2025 (O&M)

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

206-U

CWP No.28458 of 2025 (O&M)

Date of Decision:21.04.2026

KRISHNA SHARMA AND OTHERS

.....Petitioners

Vs

STATE OF HARYANA AND OTHERS

....Respondents

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

Present: Mr. Shivansh Malik, Advocate
for the petitioners.

Ms. Komal Sharma, D.A.G., Haryana.

Mr. Jagdish Manchanda, Sr. Advocate with
Mr. N.C. Manchanda, Advocate and
Mr. Akash Chaudhary, Advocate
for respondent nos.2 & 3.

HARKESH MANUJA, J. (Oral)

[1]. By way of present petition, the short grouse raised on behalf of the petitioners is that on account of inadvertence, the petitioners/landowners could not mention complete details of their acquired land in objections preferred under Section 18 of the Land Acquisition Act, 1894 (for short 'the 1894 Act') and for the said reason, they have been deprived of due compensation in respect thereto.

[2]. Briefly stating, in addition to 12 Kanals 8 Marlas of land which was expressed in detail by the petitioners/landowners in their objections under Section 18 of the Act, another chunk of land measuring 01 Kanal 13 Marlas forming part of Rectangle No.12, Killa No.2/2 situated in the revenue estate of village Pehrawar, Tehsil and District Rohtak was also acquired vide notifications dated 15.12.2006 and 14.12.2007 issued under Sections 4 & 6 of the 1894 Act



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respectively. Award under Section 11 of the 1894 Act was passed by the Land Acquisition Collector (for short 'the LAC') on 03.07.2009 whereby the market value was assessed @ Rs.20 lakhs per acre.

[3]. Pertinently, the reference petitions filed at the instance of the landowners including the petitioners under Section 18 of the 1894 Act were dismissed. However, Regular First Appeal No.10621 of 2014 filed by petitioners/landowners was partly allowed by this Court vide decision dated 16.03.2022 and the market value was re-assessed @ Rs.42,51,000/- per acre besides award of other statutory benefits and interest thereupon.

[4]. Learned counsel for the petitioners submits that once the petitioners submitted their objections against the award dated 03.07.2009, it was incumbent upon the LAC to furnish complete details of the acquired land pertaining to the petitioners in terms of Section 19 of the 1894 Act. Learned counsel contends that in view of the statutory obligation casted upon the LAC to provide details of the acquired land to the learned Reference Court, the omission on the part of the petitioners/landowners was not to be treated as fatal. In support of his submissions, learned counsel relies upon the decision passed by this Court in **CWP No.7225 of 2023** titled '**Amit @ Amit Bhadana Vs. State of Haryana and others**' decided on 31.10.2023 and the decision passed by the Hon'ble Apex Court in case of **Ram Kumar Vs. Union of India, 1991(2) SCC 247**.

[5]. Learned counsel thus, submits that though the petitioners were entitled for award of enhanced amount of compensation with respect to their entire acquired land parcel including 01 Kanal 13 Marla comprised in Rect. No.12 Kill No.2/2 as well. He thus submits that necessary direction in this regard were required to be issued to the respondents.



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[6]. On the other hand, learned State counsel as well as learned Senior counsel representing respondent Nos.2 and 3 vehemently submits that it was required of the petitioners/landowners to furnish complete particulars of their acquired land in their objection petition preferred under Section 18 of the 1894 Act. However, having failed to do so, it was impossible for the petitioners/landowners to have claimed enhanced compensation at this stage, in respect of their land measuring 01 Kanal 13 Marlas comprised in Rectangle No.12 Killa No.2/2 situated within the revenue estate of village Pehrawar, Tehsil and District Rohtak. It is thus, contended that the present petition was liable to be dismissed.

[7]. I have heard learned counsel for the parties and gone through the paper book.

[8]. Before delving upon the issue in hand, it may be relevant to take note of Section 19 of the 1894 Act, the same reads as under:-

Section 19 Collector's statement to the Court :

(1) In making the reference, the Collector shall state for the information of the Court, in writing under his hand:-

(a) the situation and extent of the land, with particulars of any trees, buildings or standing crops thereon;

(b) the names of the persons whom he has reason to think interested in such land,

(c) the amount awarded for damages and paid or tendered under section 5 and 17, or either of them, and the amount of compensation awarded under section 11;and

(d) if the objection be to the amount of the compensation, grounds on which the amount of compensation was determined.

(2) To the said statement shall be attached a schedule giving the particulars of the notices served upon, and of the statements in writing made or delivered by the parties interested respectively."



A bare reading of Section 19 of the 1984 Act makes it evident that it casts statutory obligation upon the Land Acquisition Collector to provide necessary information in writing to the learned Reference Court with respect to the situation and extent of land acquired, besides providing other relevant particulars. In the present case, apparently the LAC failed to exercise the said mandatory obligation, inasmuch as the land measuring 01 Kanal 13 Marlas of land comprised in Rectangle No.12 Killa No.2/2 situated within the revenue estate of village Pehrawar, Tehsil and District Rohtak, was not reflected in the statement submitted to the learned Reference Court. In such circumstances, the Land Acquisition Collector having failed to discharge its statutory obligation, the petitioners-landowners were not to suffer loss of enhanced compensation qua their entire acquired land even if the complete particulars in this regard were not provided by them in their objections under Section 18 of the 1894 Act.

[9]. The aforesaid view of derived from the decision of the Hon'ble Apex Court in the case of Ram Kumar Vs. Union of India reported as '1991(2) SCC 247, whereby it was held that it is the duty of the Collector to send full information to the Court. The relevant excerpt thereof is reproduced hereunder:-

“Under Section 18 of the Act the only requirement for the person interested who had not accepted the award was to move a written application to the Collector requiring that the matter be referred for the determination of the Court. One of the grounds for the accepting the award was the amount of compensation. Once such application was moved it was the duty of the Collector to make a reference to the Court. Under Section 19 of the Act while making the reference the Collector was required to state for the information of the Court the particulars as mentioned in clauses (a) to (d) of Sub-section (1) of Section 19 of the Act. Thus it was the duty of the Collector to mention



not only the situation and extent of land but even particulars of any trees, buildings or standing crops thereon. The agriculturist whose land is acquired may not be fully conversant with the khasra No. or area as entered in the Revenue records and the Union of India or the State acquiring such land should not be allowed to take any advantage of such ignorance of the agriculturists. Once an application is moved for making a reference under Section 18 of the Act it becomes the duty of the Collector to send full information to the Court regarding the entire land acquired and it is thereafter the duty of the Court to decide the matter in accordance with law.”

[10]. In view of the discussion made hereinabove, the present writ petition is allowed. Respondent No.3 is directed to submit the amended/corrected Form 19, in terms of Section 19 of the 1894 Act before the learned Reference Court-cum-Executing Court by incorporating complete details of the acquired land owned by the petitioners/landowners thereby including the land parcel measuring 01 Kanal 13 Marlas comprised in Rectangle No.12 Killa No.2/2.

[11]. The aforesaid exercise be carried out by respondent No.3 within a period of four weeks from the date of receipt of certified copy of this order, failing which respondent No.3 be burdened with the cost(s) of Rs.50,000/- to be paid to the petitioners/landowners. It is made clear that the amount of cost(s) shall be borne personally by respondent No.3 and shall not be treated as a burden on the State Exchequer.

[12]. Furthermore, the learned Executing Court is directed to make sure that the enhanced amount of compensation against the complete acquired land owned by the petitioners is released to them at the earliest with all other statutory benefits and interest under the 1894 Act, preferably within a period of 6 months from the

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date of filing of the amended/corrected Form No.19, particularly keeping in view that the acquisition commenced way back in the year 2006.

[13]. Pending application(s), if any shall also stand disposed of.

April 21, 2026
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(HARKESH MANUJA)
JUDGE

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