

2026:PHHC:065173



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

CR-6894-2025 (O&M)
Decided on:-27.04.2026

Haryana Shahri Vikas Pradhikaran, Panchkula
thr. its Chief Administrator

....Appellant.

vs.

Hazura Singh and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Shivendra Swaroop, Advocate and
Mr. Siddharth Arora, Advocate,
for the appellant.

Mr. Sanjay Jain, Advocate
for respondent Nos.1 to 3.

Ms. Komal Sharma, DAG, Haryana,
for respondent No.4.

HARKESH MANUJA J. (Oral)

1. By way of present revision petition, challenge has been laid to the orders dated 23.04.2025 and 18.09.2025 (Annexures P-8 and P-11 respectively) passed by the learned Additional District Judge, Ambala-cum-Executing Court, whereby the entitlement of the respondents-landowners with respect to enhanced compensation was determined besides dismissal of the objections preferred at the instance of petitioner-judgment debtor.

2. Briefly stating, in the present case the land belonging to the respondents-landowners, forming part of the revenue estate of Village Patti Mehar, Tehsil & District Ambala came to be acquired vide notifications

dated 02.02.1989 and 10.01.1990 issued under Sections 4 & 6, respectively of the Land Acquisition Act, 1894 (for short, "1894 Act"), followed by award No.8 dated 27.12.1990. The respondents-landowners filed execution application in terms of the final determination made by the Hon'ble Apex Court with respect to the market value of the acquired land vide its decision dated 11.04.2013, passed in "**Ashrafi and others vs. State of Haryana and others**", reported as **2013 (5) SCC 527**. In the said execution proceedings, a dispute was raised at the instance of petitioner-judgment debtor while stating that the respondents-landowners were entitled for award of market value @ Rs.325/- per square yard as recorded in para 44 of the decision made in **Ashrafi's** case (supra) whereas on the other hand the plea raised on behalf of the respondents-landowners was that they were entitled for award of market value @ Rs.430/- per square yard. The objections raised at the instance of petitioner-judgment debtor were rejected by the then Additional District Judge, Ambala-cum-Executing Court vide order dated 14.01.2019, the relevant para No.7 is extracted hereunder:-

"In para 40 of the judgment, hon'ble Apex court assessed the compensation in Surinder Kumar's case which pertains to lands of Village Patti Mehar, Saunda and Jandli of District Ambala and notification under section 4 of the Act was of dated 26.05.1981, therefore, hon'ble Apex court while taking ₹70/- per Sq Yard for the year 1973 as base and applied 12% compounded interest annually for eight years, assessed the rate of land 180/- per Sq Yard. By applying the same principle in the present case where notification for acquisition was made on 02.02.1989 and land belongs to District Ambala, then amount comes to 430/- per Sq Yard.

Hence I find force in the contentions of the counsel for the DH that he is entitled for compensation @ ₹430/- per Sq yard.

Consequently JD is directed to make the payment to the DH @ ₹430 per Sq Yard. Matter is adjourned for payment to 01.02.2019.”

2.1 Being aggrieved, the petitioner approached this Court by way of CR-2703-2019, which was dismissed vide order dated 22.07.2019. Even a review application preferred against the said order was also declined by this Court vide order dated 05.02.2020. The petitioner assailed the orders passed by this Court before the Hon’ble Apex Court and the proceedings before the Hon’ble Apex Court came to be disposed of vide order dated 27.09.2023 passed in Special Leave Petition (C) No.13856-13857-2021 in case **“State of Haryana vs. Inderjit Singh (dead)”**. The said order being relevant is extracted hereunder:-

“Leave granted.

Both sides have drawn our attention to the judgment and decree dated 11.04.2013 passed by this Court in SLP(C) nos.24704-24712/2007 titled "Ashrafi & Ors. v. State of Haryana & Ors.".

In our opinion, the executing Court could not have gone beyond the decree as drawn by this court.

Learned Senior Advocate appearing for the respondent states that the executing Court has interpreted the findings given in paragraphs 40 and 42 of the judgment and accordingly read the decree of this Court dated 11.04.2013 differently.

We would only record that the decree of this Court, as drawn does not support the contention of the respondent.

During the course of arguments, the learned Senior Advocate for the respondent states that the respondent will move an appropriate application before this Court for clarification/modification/rectification of the judgment and decree dated 11.04.2013.

In view of the aforesaid factual position, we set aside the impugned judgment/order dated 22.07.2019 passed in Civil Revision no. 2703/2019 titled "State of Haryana through Land Acquisition Collector v. Inderjit Singh", and the order dated 05.02.2020 passed in RA-CR no. 13/2020 in Civil Revision no. 2703/2019.

The consequence of the findings will also mean that the order dated 14.01.2019 passed by the Executing Court-cum-Additional District Judge, Ambala, is set aside.

In case the respondent files an application for clarification/modification/rectification of the judgment and decree dated 11.04.2013, the same will be examined on its own merits uninfluenced by the observations made in the impugned judgment/order(s) dated 22.07.2019/05.02.2020 and the present order.

The appeals are allowed and disposed of in the above terms.

Pending application(s), if any, shall stand disposed of"

2.2 Later, an application bearing IA No.13907-2024 for clarification/modification/rectification of the judgment dated 11.04.2013 was preferred before the Hon'ble Apex Court, which came to be disposed of vide order dated 11.03.2024. The same being relevant is extracted hereunder:-

"Permission to file present application is granted.

We are clearly of the view that paragraph 41 of the judgment in "Ashrafi and others v. State of Haryana and others" relate to compensation payable on the acquisition of land in District Ambala, Haryana.

Paragraph 44 deals with the compensation of land in District Hisar, Haryana.

The later portion of paragraph 44, which relates to land in District-Ambala, Haryana, has to be read along with the findings recorded in paragraph 41.

Accordingly, the present application is dismissed.”

2.3 Thereafter again fresh calculations were preferred by the landowners before the learned Executing Court and thereupon, the learned Executing Court vide its order dated 23.04.2025 accepted the calculations furnished by the landowners while recording the market value assessed by the Hon’ble Supreme Court in their favour to be @ Rs.430/- per square yard. Relevant para no.8 from the aforesaid order is reproduced hereunder:-

“8. So after reading both the paras simultaneously it appears that DH is entitled for 12% compound interest on the amount of Rs. 180/- per Sq yard for about eight years as Hon'ble Apex Court has taken. Rs.180/-per Sq yard in regard of the land acquired in 1981 and in para no.44 it is also clearly mentioned that cumulative rate of interest will be assessed and it is clearly mentioned that compensation on un form basis means that Rs.325/- per Sq yards for Hissar. So for amount for Ambala is 12% cumulative increase on Rs. 180/- from 26.05.1981 to 02.02.1989 which comes to Rs.430/-per Sq.yard. So the issue of compensation is disposed off accordingly. Now case is adjourned to 20.05.2025 for payment by the JD.”

2.4 Aggrieved thereof, the petitioner moved IA No.154387/2025 before the Hon’ble Apex Court in Civil Appeal No.3741 of 2013 in the main judgment dated 11.04.2013 (decided along with bunch of **Ashrafi’s case (supra)**). The said application was dismissed on 22.08.2025 by the Hon’ble Apex Court, however, the petitioner was granted liberty to raise all points in defence before the learned Executing Court in the pending execution proceedings. Based thereupon, the petitioner again preferred its objections before the learned Executing Court, however, the same were dismissed vide

order dated 18.09.2025 again reiterating that the respondents-landowners were entitled for award of market value @ Rs.430/- per square yard instead of Rs.325/- per square yard as claimed by the petitioner/judgment debtor. Hence, the present revision petition was filed at the instance of petitioner/judgment debtor assailing the validity of orders dated 23.04.2025 and 18.09.2025.

3. Impugning the aforementioned orders, learned counsel for the petitioner submits that the orders passed by the learned Executing Court while holding that the respondents-landowners were entitled for award of market value @ Rs.430/- per square yard were in total contradiction to the order dated 27.09.2023 passed by the Hon'ble Apex Court whereby the previous order dated 14.01.2019 passed by the learned Executing Court-cum-Additional District Judge, Ambala vide which the respondents-landowners were held entitled for award of market value @ Rs.430/- per square yard was set aside. He thus, submits that the impugned orders passed by the learned Executing Court again holding the respondents-landowners entitled for market value @ Rs.430/- per square yard were wholly uncalled for.

3.1 Learned counsel also points out that from a bare reading of para 44 rendered in the decision made in *Ashrafi's case (supra)*, once the market value was duly quantified and calculated @ Rs.325/- per square yard, there was no question of awarding of market value @ Rs.430/- per square yard in favour of the respondents-landowners by the learned Executing Court. In continuation, learned counsel for the petitioner also contends that even an application for seeking clarification of the Supreme Court decision dated 11.04.2013 passed in *Ashrafi's case (supra)* was dismissed by the Hon'ble

Apex Court and thus, there was no confusion with respect to the re-assessment made in favour of the respondents-landowners @ Rs.325/- per square yard only. No other argument has been addressed.

4. On the other hand, while relying upon the order dated 11.03.2024 (Annexure P-6) passed by the Hon'ble Apex Court in IA No.13907/2024, titled as ***"Inderjeet Singh (now deceased) thr. LRs v. The State of Haryana through Land Acquisition Collector"***, learned counsel representing respondents-landowners submits that upon a conjoint reading of paras 41 and 44 of the judgment passed in case of ***Ashrafi's case (supra)***, it was apparent that the market value of the land acquired from District Ambala was to be assessed by applying 12% appreciation at the compound rate upon Rs.180/- per square yard for the time gap between the two notifications dated 26.05.1981 upto 02.02.1989 and as such, the market value with respect to the present acquisition relating to the notification dated 02.02.1989 was to be calculated @ Rs.430/- per square yard. While referring to para 44 from the decision passed in case of ***Ashrafi (supra)***, learned counsel points out that the market value assessed @ Rs.325/- per square yard was specifically and categorically assessed with respect to the land pertaining to District Hisar and not with respect to the land forming part of villages Patti Mehar, Saunda and Jandli of District Ambala. Learned counsel thus, submits that the orders passed by the learned Executing Court were based on proper appreciation of the material available on record and therefore, call for no interference and the present petition was thus, liable to be dismissed.

5. I have heard learned counsel for the parties and gone through the paper book.

6. In the given facts and circumstances, before proceeding further it

would be relevant for the purpose of adjudication of the case in hand to provide certain details of different acquisitions carried out in District Ambala. The comparative chart thereof is reproduced hereunder:-

Sr. No.	Ist acquisition	2 nd acquisition	3 rd acquisition
Notification under Section 4 of the 1894 Act	30.01.1973	26.05.1981	02.02.1989
Notification under Section 6 of the 1894 Act	23.06.1973	10.01.1983	07.02.1990
Purpose of acquisition	For development of residential & commercial area	For development of residential & commercial area	For development of residential & commercial area
Revenue estate of village	Patti Mehar	Patti Mehar	Sounda and Jandli
Amount award by LAC	21.09.1973, Rs.50,000/- per acre, Rs.43,719/- per acre and Rs.3000/- per acre	27.06.1984, Rs.52000/- per acre	27.12.1990, LAC awarded Rs.1,01,376/- per acre, Rs.51,376/- per acre
Final determination	Rs.70/- per square yard in terms of decision dated 28.11.1990 passed in LPA-1340-1982. Relevant para is “Consequently, these appeals succeed. The amount of compensation is enhanced from Rs.40/- as allowed by the learned Single Judge to Rs.70/- per square yard with proportionate costs. The appellants will also be entitled to all the benefits under the Land Acquisition Act, as amended, except the benefits under Section 23(1)(a) thereof.”	Rs.180/- per square yard in terms of decision dated 11.04.2013 in Ashrafi’s case (supra). The relevant para No.41 is as under:- “As far as the lands within the District of Ambala are concerned, in respect of one set of lands, the Reference Court assessed the market value of the acquired lands to be Rs.57,000/- per acre. However, another reference Court assessed the market value of the acquired lands at Rs.3,38,800 per acre. In our view, the claim of the landowners, assessed at Rs.300 per square yard is on the high side but Rs.110 per square yard, as had been held by the Division Bench of the Punjab and Haryana High Court, is on the low side. On a comparison of the price of lands sold during 1981, or by adding 12% per annum on Rs.70 per square yard on annual compounded basis, the value of <u>the lands is assessed at Rs. 180 per</u>	<u>Rs.325 or Rs.430/- per square yard</u> was finally assessed in terms of para 41 read with para 44 of the decision dated 11.04.2013 passed in Ashrafi’s case.

		<u>square yard on a uniform basis for all lands</u> , as also submitted by Ms. Malhotra.	
--	--	---	--

7. The whole confusion in the present case has arisen because of the figure of Rs.325/- per square yard as mentioned in paragraph 44 of the decision dated 11.04.2013 passed in *Ashrafi’s case (supra)*. For convenience and better understanding of the determination made by the Hon’ble Supreme Court, paragraphs No.41 and 44 from the judgment passed in *Ashrafi’s case (supra)* are tabulated hereunder:-

Para 41: <i>As far as the lands within the District of Ambala are concerned, in respect of one set of lands, the Reference Court assessed the market value of the acquired lands to be Rs.57,000/- per acre. However, another Reference Court assessed the market value of the acquired lands at Rs.3,38,800/- per acre. In our view, the claim of the land owners, assessed at Rs.300/- per sq. yard is on the high side but Rs.110/- per sq. yard, as had been held by the Division Bench of the Punjab and Haryana High Court, is on the low side. On a comparison of the price of lands sold during 1981, or by adding 12% per annum on Rs.70/- per sq. yard on annual compounded basis, the value of the lands is assessed at Rs.180/- per sq. yard on a uniform basis for all lands, as also submitted by Ms. Malhotra.</i>	Para 44:- <i>Accordingly, in Mukesh Kumar's case and the other cases heard along with the said case, we are of the view that while adding 12% annual increase to the value of the lands acquired, the same should be done on a cumulative basis. In Mukesh Kumar's case, the compensation awarded was at the rate of Rs.235/- per sq. yard along with all statutory benefits, as provided under Sections 23(1-A), 23(2) and 28 of the Land Acquisition Act. Having discarded the belting system which has been resorted to, we are of the view that the compensation as awarded at the rate of Rs.235/- per sq. yard, has to be reassessed by applying the cumulative rate of increase at the rate of 12% per annum with the base year being the date of the Notification under Section 4 of the Land Acquisition Act, together with the statutory benefits, as indicated hereinabove. The stand taken on behalf of the State of Haryana, regarding the amount of escalation fixed at 12% being improper, does not appeal to us having regard to the potentiality of the lands acquired and the sharp increase in the value of the lands in recent times. The valuation of the compensation of the acquired land at the rate of Rs.235/- per sq. yard by the High Court, appears to have been influenced by the compensation already assessed in Atam Prakash's case, where the market value of the land acquired in Sectors 9 and 11 was assessed at Rs.235/- per sq. yard. According to Mr. Swarup, the said lands were far away from the lands involved in the present set of cases and, accordingly, the rate of compensation for the lands under consideration should be definitely higher than awarded in respect of the lands covered in Atam Prakash's</i>
--	---

	case. Accordingly, we re-assess the compensation assessed in respect of the lands covered by these cases by applying the cumulative rate of interest, taking the date of Notification under section 4 of the Land Acquisition Act as the base year for such calculation at Rs.325/- per sq. yard. The said valuation will also be applicable in Mahabir & Anr. vs. State of Haryana & Anr. [SLP(C)No.1512 of 2007], Sarwan Singh & Anr. vs. State of Haryana & Anr. [SLP(C)Nos.20144-20150 of 2007] and State of Haryana & Anr. vs. Partap Singh & Anr. [SLP(C)No.21597 of 2006]. As far as the lands in village Patti Mehar, Saunda and Jandli in Ambala District and forming the subject matter in Surinder Kumar's case [SLP(C)Nos.16372-16404 of 2008], in Manohar Lal Khurana's case and in other cases falling in the same category are concerned, the compensation will be at the above rate on a uniform basis.
--	--

In the humble opinion of this Court from a conjoint reading of paragraphs No.41 and 44 of the aforesaid decision in **Ashrafi’s** case (supra), it is apparent and evident to the following effect:-

(a) the determination made by the Hon’ble Apex Court @ Rs.325/- per square yard in para 44 of the judgment of Ashrafi was relating to District Hisar (as rightly observed by the Hon’ble Apex Court vide its order dated 11.03.2024 passed in IA No.252/2024 in Civil Appeal No.3741/2013, “*Inderjeet Singh (now deceased) thr. LRs. v. The State of Haryana through Land Acquisition Collector*”. At the cost of repetition, the contents of said order are again reproduced hereunder for convenience:-

“Permission to file present application is granted.

We are clearly of the view that paragraph 41 of the judgment in “Ashrafi and others v. State of Haryana and others” relate to compensation payable on the acquisition of land in District Ambala, Haryana.

Paragraph 44 deals with the compensation of land in

District Hisar, Haryana.

The later portion of paragraph 44, which relates to land in District-Ambala, Haryana, has to be read along with the findings recorded in paragraph 41.

Accordingly, the present application is dismissed.”

(b) the market value with respect to the acquisition which commenced vide notification dated 26.05.1981 pertaining to the District Ambala was assessed @ Rs.180/- per square yard.

(c) from the preceding part of para 44 of the Ashrafi’s case (supra), it was apparent that as per the Hon’ble Supreme Court the re-assessment was to be made by applying cumulative rate of increase @ 12% per annum.

(d) Therefore, as per the later portion of para 44 of the judgment of **Ashrafi (supra)**, the market value of the land in villages Patti Mehar, Saunda and Jandli, District Ambala was to be reassessed by applying cumulative rate of increase of 12% per annum for the present acquisition carried out in terms of notification dated 02.02.1989 for the time gap from the previous notification dated 26.05.1981 upto 02.02.1989 by taking the base price of Rs.180/- per square yard, which thus comes to Rs.430/- per square yard as per the following calculations:-

26.05.1982	180x112/100	201.6
26.05.1983	201.6x112/100	225.792
26.05.1984	225.792x112/100	252.88704
26.05.1985	252.88704x112/100	283.2334848
26.05.1986	283.2334848x112/100	317.221502976
26.05.1987	317.221502976	355.288083333
26.05.1988	355.288083333x112/100	397.9226533321
26.05.1988	397.9226533322	
27.05.1988 to 02.02.1989 (252 days)	32.96	397.92+32.96=430.89

(e) the determination made by the Hon'ble Apex Court @ Rs.325/- per square yard, in terms of the aforesaid calculation, it cannot by any stretch of imagination be presumed to be pertaining to District Ambala as it would itself contradict the award of enhancement/appreciation at the cumulative rate of 12% over the determination made by the Hon'ble Apex Court with respect to the previous notification dated 26.05.1981 made @ Rs.180/- per square yard.

8. In view of the aforesaid discussion, there is no illegality or perversity with the orders dated 23.04.2025 and 18.09.2025 passed by the learned Executing Court, whereby the respondents-landowners of village Patti Mehar, District Ambala were held entitled for award of market value @ 430/- per square yard.

9. Furthermore, no merit can be found with the submission made on behalf of the petitioner that vide order dated 27.09.2023 passed by the Hon'ble Apex Court in "***State of Haryana vs. Inderjit Singh (dead)***", the claim made by respondents-landowners regarding award of market value @ Rs.430/- per square yard in their favour stood categorically and specifically declined. In fact, a cumulative effect of the orders dated 27.09.2023 and 11.03.2024 passed by the Hon'ble Supreme Court (Annexures P-5 and P-6 respectively) was that the determination of market value with respect to the land acquired from District Ambala was to be made upon conjoint reading of para No.41 and the later part of para 44. It was duly clarified by the Hon'ble Apex Court in its order dated 11.03.2024 that para 44 of ***Ashrafi's case (supra)*** was dealing with the compensation of land in District Hisar and para 41 thereof was dealing with the compensation of land in District Ambala.

9.1 Additionally, it may be noticed here that vide order dated 23.04.2025 passed by the learned Executing Court it was upon a cumulative analysis of the judgment passed in case of *Ashrafi (supra)* as well as two subsequent orders dated 27.09.2023 (P-5) and order dated 11.03.2024 (P-6) passed by the Hon'ble Supreme Court, the learned Executing Court recorded that the respondents-landowners were entitled for award of market value @ Rs.430/- per square yard. The said order was specifically assailed before the Hon'ble Apex Court by way of moving an IA No.154387-2025 in Civil Appeal No.3741-2013, however, the said application was declined by Hon'ble Supreme Court on 22.08.2025 (Annexure P-9).

10. As such, in view of the aforesaid detailed discussion, no merit can be found in the present revision petition. The impugned orders passed by the learned Executing Court are based on proper appreciation of the material available on record, especially the orders passed by the Hon'ble Apex Court. Accordingly, the present petition, being devoid of merit is, thus, dismissed.

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

27.04.2026

sonika

(HARKESH MANUJA)**JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No