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RFA-7856-2011 (O&M) and other connected cases [1]

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

**RFA-7856-2011 (O&M)
Date of Decision: 23.04.2026**

Umed Singh and ors.	Versus	Appellants
State of Haryana and another		Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Harinder Singh, Advocate
Mr. V.D. Sharma, Advocate and
Mr. Vishesh Sharma, Advocate
Mr. Jaspreet Singh, Advocate
Mr. A.K. Singh Goyat, Advocate
Mr. Karan Singh, Advocate and
Mr. Ritik Boora, Advocate
for the appellants.

Mr. Abhinash Jain, DAG, Haryana.

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HARKESH MANUJA, J. (ORAL)

Vide this common order, a bunch of 25 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. 7856-2011**.

2. By way of present appeal(s), challenge has been laid to the Award dated 04.06.2011/02.06.2012 passed by the learned Additional District Judge, Jind (hereinafter to be referred as the



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‘Reference Court’) whereby, reference petition(s) preferred at the instance of landowner(s) invoking Section 18 of the Land Acquisition Act, 1894 (for brevity, **“1894 Act”**), were partly allowed.

3. Briefly stating, in the present case(s), some land situated within the revenue estates of Villages Badowala @ Dharamgarh Sunderpur, Badanpur, and Dabalian Tehsil Narwana, District Jind was acquired vide Notifications dated 06.02.2007 (published on 13.02.2007) and 29.03.2007 issued under Sections 4 and 6 of the 1894 Act respectively, for the public purpose, namely, *“for construction of Dharamgarh Minor”*. Award under Section 11 of the 1894 Act was passed by the Land Acquisition Collector (for short **‘the LAC’**) on 20.07.2007, thereby determining the market value of the acquired land at a uniform rate of Rs. 8,00,000/- 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, appellants-landowners preferred reference petition(s) under Section 18 of the 1894 Act, which came to be partly allowed by the learned Reference Court vide its decision dated 04.06.2011/02.06.2012 while granting enhanced compensation at uniform rate of Rs.9,00,000/- per acre; 10% severance to those landowners whose land was separated in two different parcels due to construction of minor subject to proof; besides all other statutory benefits as provided under the 1894 Act.

5. Aggrieved of the aforesaid award passed by the learned

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Reference Court, the present appeals were preferred at the instance of appellants-landowners.

6. I have heard learned counsel for the parties and gone through the paper-book as well as records of the case.

7. At the outset, it is pertinent to mention that in the present case(s), the appellants/landowners failed to place on record any sale instance pertaining to the revenue estate of Village Dabalian, Sunderpur, Badanpur and Baddowal @ Dharamgarh, Tehsil Narwana, District Jind to strengthen their claim towards enhancement of the market value.

8. Moreover, State did not prefer any appeal against the decision rendered by the learned Reference Court and, thus, accepted the assessment of compensation made therein. However, it is equally true that the appellants/claimants who filed the present appeal(s) failed to prove their case for further enhancement beyond the assessment made by the learned Reference Court.

9. It is well-settled that determination of market value in land acquisition matters must be based on tangible evidence such as comparable sale instances or other credible material and cannot rest on mere speculation. In such circumstances, where the parties were not able to place on record any cogent and reliable evidence warranting any interference with the assessed market value, this Court would not be justified in enhancing compensation merely on the basis of conjectures, surmises, or hypothetical assumptions.

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10. In view of the discussion made hereinabove and in the absence of any evidence on record placed by the appellants—landowners with regard to the potentiality and locational advantages of the acquired land so as to warrant a reassessment or enhancement of the market value, the award passed by the learned Reference Court assessing the market value @ Rs.9,00,000/- per acre calls for no interference, the same being based on a proper appreciation of the material available on record.

10.1 However, the acquisition in the case(s) in hand was for the public purpose, namely, “*for construction of Dharamgarh Minor*”. Upon recording a finding in favour of the appellants—landowners that the acquisition resulted into bifurcation of their landholdings, thereby causing severance damage, the learned Reference Court awarded compensation @ Rs.80,000/- per acre in their favour, subject to furnishing the proof. Keeping in view the facts and circumstances of the case(s) in hand and that severance also causes reduction in value of remaining land due to alteration in access, useability, irregularity of shape and loss of agricultural viability etc., damages towards severance of land holdings are re-assessed @ 25% of the market value, however, subject to proof of bifurcation of the land by the landowners before the learned Executing Court.

11. Disposed of with the above modifications.

12. Further, wherever, the landowner(s) has/have unfortunately expired in the appeal(s)/ cross-objection(s) after filing

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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.

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

23.04.2026
sanjay

(**HARKESH MANUJA**)
JUDGE

Whether speaking/reasoned? Yes/No
Whether Reportable? Yes/No

<u>Sr.No.</u>	<u>Case No.</u>
1.	RFA-7857-2011 (O&M)
2.	RFA-7858-2011 (O&M)
3.	RFA-7859-2011 (O&M)
4.	RFA-7860-2011 (O&M)
5.	RFA-7962-2011 (O&M)
6.	RFA-7963-2011 (O&M)
7.	RFA-7964-2011 (O&M)
8.	RFA-7965-2011 (O&M)
9.	RFA-414-2012 (O&M)
10.	RFA-415-2012 (O&M)
11.	RFA-416-2012 (O&M)
12.	RFA-417-2012 (O&M)
13.	RFA-421-2012 (O&M)
14.	RFA-422-2012 (O&M)
15.	RFA-423-2012 (O&M)
16.	RFA-424-2012 (O&M)
17.	RFA-425-2012 (O&M)
18.	RFA-766-2012 (O&M)
19.	RFA-7182-2012 (O&M)
20.	RFA-4372-2012 (O&M)
21.	RFA-4373-2012 (O&M)
22.	RFA-4374-2012 (O&M)
23.	RFA-4375-2012 (O&M)
24.	RFA-5768-2012 (O&M)

23.04.2026
sanjay

(**HARKESH MANUJA**)
JUDGE