170

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA-677-2017 (O&M) and other connected cases
Date of Decision: May 12, 2026

MAHENDER SINGH & ORS ....Appellants

Versus

STATE OF HARYANA AND ORS ......Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. N.K. Malhotra and
Mr. S.P. Chahar, Advocate for the appellants.

Mr. Abhinash Jain, DAG, Haryana.

****

HARKESH MANUJA, J. (ORAL)

Vide this common order, a batch of 37 Regular First Appeal(s) shall stand disposed of, details of which are mentioned in the footnote of the judgment. For convenience, the facts are culled out from **RFA-677-2017** and **RFA-2341-2016**.

2. By way of the present appeals, challenge has been made to the judgment dated 29.07.2016 pertaining to Village Garhi Bohar and the judgment dated 25.01.2016 pertaining to Village Kheri Sadh, passed by the learned Additional District Judge, Rohtak (hereinafter referred to as ***'Reference Court'***) whereby the reference petition filed under Section 18 of the Land Acquisition Act, 1894 (for brevity, ***'the Act'***) by the appellants-landowners, seeking enhancement of compensation was partly allowed.

3. Briefly stating, certain land, situated within the revenue estate of Villages Garhi Bohar and Kheri Sadh, District Rohtak was acquired for the public purpose, namely, "*for public and semi public use i.e. development of Sector No.27 A-B, Rohtak*" vide notifications dated

2026:PHHC:081697

20.08.2007 and 24.12.2007 issued under Sections 4 and 6 respectively of the Act. The Land Acquisition Collector (for brevity ***'the LAC'***) passed Award dated 20.01.2009 assessing the market value at the rate of Rs.16,00,000/- per acre besides granting all other statutory benefits under the Act.

4. The appellants-landowners, feeling dissatisfied with the award dated 20.01.2009, sought reference under Section 18 of the Act pleading that the price of acquired land was not less than Rs.80 lakhs to Rs.1 crore per acre as the same was situated adjacent to the National Highway No.10 and falls within the National Capital Region. It was also pleaded that certain prominent institutions such as Ayurvedic College and Hospital and PGIMS Health University and Hospital were located in the vicinity of the acquired land.

5. Upon notice, the same was contested by the respondents-State by way of filing of written statement, wherein it was pleaded that all the factors essential for just determination of the market price of the land were taken into consideration by the LAC and due consideration was given to the rising trend of prices of the acquired land while assessing the market value thereof.

6. Upon framing of issues and consideration of the evidence led by the respective parties, the learned Reference Court assessed the market value at Rs. 27,72,000/- per acre vide award dated 29.07.2016 for Village Garhi Bohar and Rs.23,00,000/- per acre for the land abutting National highway upto depth of 1 acre and 19,49,000/- per acre for remaining land vide award dated 25.01.2016 for Village Kheri Sadh.

2026:PHHC:081697

7. Aggrieved of the aforesaid awards passed by the learned Reference Court, the appellants-landowners filed the present appeals.

CONTENTION(S):-

ON BEHALF OF THE APPELLANT(S)-LANDOWNER(S):-

8. Impugning the aforementioned awards, the short grouse raised on behalf of the appellants-landowners in the present appeal(s) is that prior to the acquisition in hand, land measuring 96.83 acres of village Kheri Sadh and 16.86 acres of village Garhi Bohar besides certain portions of village Pehrawar and village Kanheli were acquired vide notification dated 15.12.2006, for the public purpose, namely, for *"Development of Sector 26 for residential/transport/commercial purposes, recreational and communication purposes"* (hereinafter referred to as ***'the previous acquisition'***).

8.1. He further submits that with respect to the said acquisition, this Court vide judgment dated 16.03.2022 passed in **RFA-1537-2016** titled as ***"Smt. Chander (since deceased) through her legal heirs and others vs. State of Haryana and others"*** finally assessed the market value @ Rs.42,51,000/- per acre. He thus asserts that there being a time gap of almost 8 months between the previous notification dated 15.12.2006 and the date of notification under Section 4 of the Act in hand i.e. 20.08.2007, an appreciation @ 12% per annum (8% for 8 months) was required to be granted over and above the determination made by this Court in case of ***Smt. Chander*** *(supra).* No other argument has been addressed.

ON BEHALF OF RESPONDENT(S)-STATE

9. Per contra, learned counsel for respondent(s)-State submits that the award passed by the learned Reference Court is based on

proper appreciation of evidence and material available on record, as such, the appellants-landowners were suitably compensated by the learned Reference Court and no interference was called for with the same. He thus, prays that the present appeals were liable to be dismissed.

DISCUSSION AND REASONING:-

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

11. For convenience, a comparative table of the two acquisitions in the area which commenced vide 2 different notifications under Section 4 of the Act dated 15.12.2006 (previous notification) and 20.08.2007 (present notification) is extracted hereunder:-

Particulars	**Previous notification**	**Present notification**
Notification issued under Section 4	15.12.2006	20.08.2007
Notification issued under Section 6	14.12.2007	24.12.2007
Village	Garhi Bohar Kheri Sadh Pehrawar Kanheli	Garhi Bohar Kheri Sadh
Area	Garhi Bohar: 16.86 acres Kheri Sadh: 96.83 acres	Garhi Bohar: 4.28 acres Kheri Sadh: 60.13 acres
Purpose	Development of Sector 26 for residential /transport /commercial purposes, recreational and communication purposes.	For public and semi public use i.e. development of Sector No.27 A-B, Rohtak.
Date of Award passed by the LAC	03.07.2009	20.01.2009
Amount assessed by the LAC	Rs.20,00,000/- per acre.	Rs. 16,00,000/- per acre.
Amount assessed by the Reference Court	Garhi Bohar: Vide award dated 21.01.2014 Rs.24,86,998.10/- per acre.	Garhi Bohar: Vide award dated 29.07.2016 Rs. 27,72,000/- per acre.
	Kheri Sadh: Vide award dated 15.12.2015 Rs.22,75,000/- per acre.	Kheri Sadh: Vide award dated 25.01.2016 Rs.23,00,000/- per acre for the land abutting National

		highway upto depth of 1 acre and 19,49,000/- per acre for remaining land.
Award passed by this Court	Rs. 42,51,000/- per acre vide order dated 16.03.2022 passed in **RFA 1537 of 2016** titled **Smt. Chander (since deceased) through her LRs and ors. Vs. State of Haryana and ors.**	——

12. From the above chart, it is apparent that with respect to the previous acquisition pertaining to the same revenue estates of village Khera Sadh and village Garhi Bohar, the market value was finally assessed up to this Court vide decision dated 16.03.2022 passed in ***Smt. Chander's case*** *(supra)***.** The previous acquisition in terms of notification dated 15.12.2006 was carried out for the public purpose of *"Development of Sector 26 for residential/transport/commercial purposes, recreational and communication purposes".* The said acquisition proceedings, aimed at large-scale development in the area, naturally contributed to the rise in the market value of the two revenue estates of village Khera Sadh and Garhi Bohar. Furthermore, it is evident from the material available on record especially from the deposition of RW1 in LAC 981/2010, namely, Suresh, Patwari, o/o Land Acquisition Officer, Rohtak wherein he admitted that "Baba Ram Nath Institute" was at a distance of approximately 2 kms away from the acquired land which was even abutting the *abadi* of village Khera Sadh. Thus, it is evident that the acquired land had significant locational and potential value attached to it.

13. In such circumstances, an appreciation @ 8% for the time gap of 8 months between the two notifications i.e. 15.12.2006 and 20.08.2007 needs to be granted in favour of appellants-landowners over

the market value assessed by this Court @ Rs.42,51,000/- per acre pertaining to the previous acquisition. Applying the same, the value comes to Rs. 45,91,080/- per acre.

14. Pertinently, the LAC, at the time of assessing the market value of the revenue estate of Village Garhi Bohar and Kheri Sadh, determined the same at the rate of Rs.16,00,000/- per acre which clearly indicates that the respondent authorities were conscious of the fact that the entire land parcels under acquisition did not suffer from any material variation in terms of the locational advantage, accessibility, or development potential. Such assessment itself reflects that the acquired land formed part of a homogeneous tract possessing similar characteristics and potentialities, warranting uniform treatment in the matter of valuation. In view of the aforesaid, the appellants/landowners are held entitled to uniform market value, without adoption of any belting system.

15. Accordingly, the market value is assessed at a **uniform rate of Rs.45,91,080/- per acre** on the date of notification under Section 4 of the 1894 Act in case(s) in hand. Besides it, the landowners-appellants shall also be entitled for all the statutory benefits and interests under the Act, especially the solatium and interest thereupon.

16. In view of the aforesaid circumstances, the present appeal(s) are partly allowed with the aforesaid modification.

17. Wherever the landowner(s) has/have unfortunately expired in the appeal(s)/cross-objection(s) after filing thereof and the legal heirs have not been impleaded, they shall be at liberty to seek execution of the

2026:PHHC:081697

present decision by moving appropriate applications before the learned Executing Court.

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

12.05.2026 **(HARKESH MANUJA)**
Tejwinder **JUDGE**

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

Other connected cases
RFA-3249-2016
RFA-3929-2016
RFA-3930-2016
RFA-3931-2016
RFA-1100-2017
RFA-125-2018
RFA-1676-2019
RFA-2340-2016
RFA-2341-2016
RFA-2342-2016
RFA-2343-2016
RFA-2349-2016
RFA-2715-2016
RFA-2716-2016
RFA-2717-2016

RFA-2718-2016
RFA-2719-2016
RFA-2720-2016
RFA-2791-2016
RFA-2973-2016
RFA-2974-2016
RFA-3087-2016
RFA-3088-2016
RFA-3445-2016
RFA-3446-2016
RFA-3846-2016
RFA-3887-2016
RFA-3888-2016
RFA-3994-2016
RFA-3995-2016
RFA-4040-2016
RFA-1305-2019
RFA-3665-2019
RFA-71-2017
RFA-72-2017
RFA-677-2017
RFA-1177-2022