



RFA-502-2014

[1]

2026:PHHC:055720

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****RFA-502-2014 and other connected matters**

Jagmender (through LRs)

...Appellant

Versus

District Revenue Officer-cum-
Land Acquisition Collector and Others

...Respondents

Reserved on: 08.04.2026**Pronounced on: 10.04.2026****Pronounced fully/operative part: Fully****CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA**

Argued by: Ms. Anita Balyan, Advocate with
Mr. Vicky Chauhan, Advocate
for the appellant (in RFAs-502-504-2014, RFA-224-2015) &
for the respondent (in RFA-393 to 396-2014).

Mr. Gaurav Garg, AAG, Haryana.

Mr. Vikas Lochas, Advocate and
Mr. Madhav S. Megha, Advocate
for the appellants (in RFA-287-2015) and
for respondent (in RFA-721-2015)

DEEPAK GUPTA, J.

This judgment shall govern the adjudication of eleven Regular First Appeals, as tabulated below, preferred under Section 54 of the Land Acquisition Act, 1894, arising out of a common acquisition process and substantially similar awards rendered by the Reference Court, Sonapat. Out of these appeals, six have been instituted by the landowners seeking enhancement of compensation, whereas five have been preferred by the State of Haryana assailing the enhancement granted by the Reference Court, which are tabulated here under:-



Sr No.	RFA No.	Appellants	LA Case No.	Date of decision of Reference Court
1	502/2014	Jagmender vs. District Revenue Officer and others	92/2010/2013	30.04.2013
2	503/2014	Moji Ram and others vs. District Revenue Officer and others	93/2010/2013	30.04.2013
3	504/2014	Rajinder Singh and another vs. District Revenue Officer and others	95/2010/2014	30.04.2013
4	393/2014	State of Haryana and others vs. Jagmender	92/2010/2013	30.04.2013
5	394/2014	State of Haryana and others vs. Darshan Singh	94/2010/2013	30.04.2013
6	395/2014	State of Haryana and others vs. Moji and others	93/2010/2013	30.04.2013
7	396/2014	State of Haryana and others vs. Rajinder Singh and another	95/2010/2013	30.04.2013
8	2767/2014	Darshan Singh vs. District Revenue Officer and others	94/2010/2013	30.04.2013
9	224/2015	Ashok Kumar and others vs. State of Haryana and others	1478/2013	12.08.2014
10	287/2015	Chander Singh vs. State of Haryana and others	23/2012/2013	23.05.2014
11	721/2015	State of Haryana and others vs. Chander Singh	23/2012/2013	23.05.2014

2. All the appeals, barring two, pertain to the acquisition of land situated in village Mehlana, District Sonapat, thereby involving common questions of fact and law relating to determination of fair market value. The remaining two appeals, namely RFA Nos. 287 of 2015 and 721 of 2015, relate to land situated in village Barwasni of the same district. However, as is evident from the record, the acquisition therein emanates from the same notification and is for an identical public purpose, thus warranting their analogous consideration.



3. In view of the commonality of the acquisition notifications, the purpose of acquisition, the nature of evidence led, and the issues arising for determination, particularly with respect to the assessment of market value, this Court deems it appropriate to decide all these appeals by way of a common judgment, so as to ensure consistency in judicial determination and to avoid conflicting findings.

4. ***Facts and Background*** : It emerges from the record that land measuring 4.55 acres situated in village Mehlana, and 0.4 acres situated in village Barwasni, belonging to different landowners, was notified on 03.03.2006 for acquisition under Section 4 of the Land Acquisition Act, 1894. This was followed by a declaration under Section 6 of the Act vide notification dated 10.05.2006, for a public purpose, namely, construction of Carrier Lined Channels. The Land Acquisition Collector, Sonapat, vide Award No.7 dated 31.08.2006, assessed the market value of the land in village Mehlana at ₹12,50,000/- per acre. Similarly, vide Award No.10 dated 21.09.2006, the market value of land in village Barwasni was also assessed at ₹12,50,000/- per acre.

5. Dissatisfied with the aforesaid awards, the landowners sought references under Section 18 of the Act. The Reference Court, Sonapat, decided a batch of such references vide award dated 30.04.2013, assessing the market value at ₹16,00,000/- per acre, along with statutory benefits. Other connected references were decided on 12.08.2014 and 23.05.2014, wherein the same rate of ₹16,00,000/- per acre was awarded.

6. These awards have given rise to the present set of appeals—six by the landowners seeking further enhancement, and five by the State of Haryana seeking reduction or setting aside of the enhancement granted by the Reference Court.

7. ***Submissions of the Parties*** : Learned counsel for the landowners contends that the Reference Court has erred in placing sole reliance upon a prior award dated 10.04.2008 (Mark-A) pertaining to village



Mehlana, wherein land acquired through notification dated 03.03.2006 for a similar purpose was assessed at ₹16,00,000/- per acre. It is argued that the Reference Court failed to consider relevant sale instances (Mark-B to Mark-D) as well as the Aks Shajra, which, according to the landowners, would have justified a higher determination of market value.

8. *Per contra*, learned State counsel submits that the Reference Court was not justified in enhancing the compensation from ₹12,50,000/- per acre to ₹16,00,000/- per acre solely on the basis of the previous award (Mark-A). It is argued that in the said award, the Land Acquisition Collector himself had assessed the market value at ₹16,00,000/- per acre, which was merely affirmed by the Reference Court. Therefore, the same could not form a valid basis for enhancement in the present case. It is further contended that sale instances (Mark D1 to D3) and the site plan (Mark-D4) produced by the State have also not been properly appreciated.

9. **Points for Determination** : The principal question that arises for consideration is whether the Reference Court has correctly determined the fair market value of the acquired land at ₹16,00,000/- per acre, and whether any further enhancement or reduction is warranted in the facts and circumstances of the case.

10. **Legal Position** : It is well-settled that the determination of market value under the Land Acquisition Act is to be made on the basis of what a willing purchaser would pay to a willing seller in an open market transaction, having due regard to the existing advantages and potential of the land, while excluding any increase in value attributable to the scheme of acquisition itself.

11. The burden to establish that the market value assessed by the Land Acquisition Collector is inadequate lies upon the claimants. The evidence led must be cogent, reliable, and comparable in nature. Sale instances relied upon must be proximate in time, comparable in nature, and duly proved, including their location vis-à-vis the acquired land.



12. It is equally settled that previous awards relating to acquisition of land in the vicinity, arising out of similar notifications and for similar purposes, constitute relevant and admissible evidence, provided they have attained finality and are shown to be comparable.

13. ***Appreciation of Evidence*** : Upon a careful consideration of the record and the rival submissions, this Court finds no infirmity in the approach adopted by the Reference Court.

14. The sale instances (Mark-B to Mark-D) relied upon by the landowners pertain to small parcels of land. However, the landowners failed to establish their comparability with the acquired land. No site plan or cogent evidence was produced to demonstrate the location, potential, or similarity of these parcels vis-à-vis the acquired land. In the absence of such foundational evidence, the Reference Court rightly discarded these sale instances.

15. Similarly, the sale instances (Mark D1 to D3) relied upon by the State were also unsupported by any credible evidence regarding their location or comparability. The failure of the State to produce a site plan or other relevant material justified their exclusion from consideration.

16. Consequently, the Reference Court was left with the previous award dated 10.04.2008 (Mark-A), which pertained to land in village Mehlana acquired under a notification of the same date i.e. 03.03.2006 and for a similar public purpose. The reliance placed upon this award is legally sound, as it satisfies the tests of proximity in time, similarity of purpose, and comparability of location.

17. Significantly, it has not been shown that the said award (Mark-A) was ever challenged or modified by any superior court. In the absence of any evidence to the contrary, the said award can safely be treated as having attained finality and thus constitutes a reliable benchmark for determining market value.



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18. **Conclusion :** In view of the foregoing discussion, this Court is of the considered opinion that the Reference Court has adopted a just, fair, and legally sustainable approach in determining the market value of the acquired land at ₹16,00,000/- per acre.

19. No ground is made out either for further enhancement, as sought by the landowners, or for reduction, as prayed for by the State of Haryana.

20. Accordingly, all the appeals—filed by both the landowners as well as the State—are hereby dismissed. The awards passed by the Reference Court are affirmed. The landowners shall be entitled to all statutory benefits, as already granted by the Reference Court. No order as to costs.

10.04.2026*Yogesh***(DEEPAK GUPTA)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No

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