Surinder Ahuja v. State of Punjab
Facts of the Case
Land Acquisition
Location: 6 contiguous villages in Fazilka
Statute: Land Acquisition Act, 1894
Project: 18.42 km Aspal Extension Drain
Physical Bifurcation
Drain Dimensions: 100–150 ft wide
Impact: Isolated unacquired land and blocked farm machinery access
LAC Award (2001)
Rate: ₹2,25,000/acre uniform rate
Severance Compensation: Zero awarded
Reference Court Award (2006–2008)
Enhanced Value: Up to ₹5,00,000/acre
Enhancement Basis: Urban proximity, NH-10 frontage, and 1996 Sultanpur baseline
Severance Charges: 50% calculated on unacquired land
High Court Holding
Radial Pricing Model
Action: Reduced market value
Rate: ₹2,99,000 to ₹3,39,000/acre
Pricing Factors: Distance from city limits and proximity to border
Severance Reduction
Capped Severance: Uniform 40%
Calculation Base: Acquired land strip rather than remaining unacquired land
Auxiliary Assets
Tubewell Compensation: ₹50,000 flat rate
Tree Damages: Strictly restricted to 280 pleaded trees
Solatium Exclusion
Statute: 30% statutory solatium and 12% additional interest
Exclusion Rule: Applied strictly to bare land value, excluding tubewells, trees, and severance
Supreme Court Holding
Restored Land Value
Restored Rate: ₹5,00,000/acre
Action: Set aside radial pricing model
Parity Objective: Maintain project-wide uniform rate across contiguous villages
Restored Severance
Severance Rate: 50%
Calculation Base: Remaining unacquired land under Sec 23(1) Thirdly
Purpose: Reflect actual diminution of utility
Affirmed Auxiliary Awards
Tree Compensation: Upheld 280 pleaded trees due to lack of evidence beyond pleadings
Tubewell Award: Affirmed flat ₹50,000 rate
Affirmed Solatium Exclusion
Statutory Solatium (30%) and Interest (12%): Reaffirmed legally payable exclusively on bare land market value, not auxiliary assets