

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

VARINDER SINGH
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Punjab & Haryana High Court at
Chandigarh

RFA No. 2456 of 1992 (O&M)

Date of decision : 11.8.2015

The State of Haryana

.. Appellant

versus

Paras Ram

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Abhinash Jain, Assistant Advocate General, Haryana.

Rajesh Bindal, J.

This order will dispose of two appeals bearing RFA Nos. 2456 and 2457 of 1992, as the same arise out of common acquisition.

The State is in appeal against the award of the learned court below seeking reduction in the compensation awarded to the landowners for the acquired land.

The facts have been extracted from RFA No. 2456 of 1992.

Briefly, the facts are that vide notification dated 22.8.1988, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), the State of Haryana sought to acquire land situated within the revenue estate of Village Mewla Maharajpur, Hadbast No. 4, Tehsil Ballabgarh, District Faridabad, for the development and utilisation thereof as residential and commercial area for Sector 46 Part-II, Faridabad. Notification under Section 6 of the Act was issued on 7.7.1989. The Land Acquisition Collector (for short, 'the Collector') vide award dated 30.3.1990, assessed the market value of the acquired land @ ₹ 3,50,000/- per acre for chahi and ₹ 1,50,000/- per acre for narmot and gair mumkin kinds of land. Dissatisfied with the award of the Collector, the landowners filed objections. On reference under Section 18 of the Act, the learned court below vide award dated 7.5.1992, determined the market value of the acquired land @ ₹ 101/- per square yard. It is this award which is impugned in the present appeals.

Learned counsel for the State did not dispute the fact that in appeals filed by the landowners, the compensation payable for the land acquired vide same notification was further enhanced vide Division Bench judgment of this Court in LPA No. 920 of 1994 Horam vs Haryana State decided on 27.7.2005.

Since the amount of compensation for the acquired land has been further enhanced, the case of the State for reduction does not survive. Accordingly, for the reasons recorded in Horam's case (supra), the present appeals are dismissed.

11.8.2015
vs

(Rajesh Bindal)
Judge