

RFA No.2965 of 1992 (O&M)
Date of Decision: 24.08.2015

RAMESH DATT AND ANOTHER

..... Appellants

VERSUS

THE STATE OF HARYANA AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: None for the appellants.

Mr. Vishal Garg, Additional Advocate General, Haryana.

RAJESH BINDAL J.

The landowners are in appeal before this Court seeking enhancement of compensation for the acquired land.

Brief facts of the case are that the Haryana Government vide notification dated 29.06.1966, issued under Section 4 of the Land Acquisition Act, 1894 (for short 'the Act') sought to acquire land situated in the revenue estate of village Faridabad for public purpose in the area of Sector-14, in Ballabgarh Faridabad. The Land Acquisition Collector (for short, 'the Collector') vide award dated 29.11.1987 assessed compensation for the acquired land @ ₹190/- per biswa for cultivated land; @ ₹152/- per biswa for Banjar Jadid and Banjar Kadim land and @ ₹100/- per biswa for Gair Mumkin kind of land. The landowners feeling dissatisfied with the award of the Collector, filed objections. Considering the material placed on record, the learned Court below vide its award dated 05.03.1992, determined the compensation of the acquired land @ ₹10/- per square yard.

A perusal of the impugned award shows that the assessment of compensation by the learned Court below has been made relying upon the

judgment of this Court in RFA No.664 of 1973 titled 'Smt. Kailash Wati and

another Vs. The State of Haryana and another' decided on 08.05.1979 regarding valuation of land pertaining to same acquisition. The aforesaid judgment attained finality.

Considering the aforesaid facts, prima facie, no case is made out for the enhancement of compensation, however, as none appeared for the appellants, the appeal is dismissed for non-prosecution.

24.8.2015

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(Rajesh Bindal)
Judge