

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

RFA No. 1403 of 1991 (O&M)

Date of decision : 1.9.2015

Suraj Singh and others

..... Appellants

VS

The State of Haryana

.... Respondent

Present: Ms. Anu Singh, Advocate for
Mr. Gagandeep Rana, Advocate, for the appellants.
Mr. Shivendra Swaroop, Assistant Advocate General, Haryana.

Rajesh Bindal J.

This order will dispose of two appeals bearing RFA Nos. 1403 and 1404 of 1991, as the same arise out of common acquisition.

The landowners are in appeals before this court against the award of the learned court below passed under Section 18 of the Land Acquisition Act, 1894 (for short, 'the Act') seeking enhancement of compensation for the acquired land.

Briefly, the facts are that vide Notification dated 18.12.1984, published on 22.1.1985, issued under Section 4 of the Act, the land situated in the area of Village Nurpur Jharsa, Hadbast No. 165, Tehsil and District Gurgaon, was sought to be acquired by the State of Haryana for construction of (i) a road from Badshahpur to Nurpur Jharsa and (ii) Nurpur-Jharsa to village Sakatpur, via village Palra. Notification under Section 6 of the Act was issued on 18.11.1985, published on 3.12.1985. The award was announced by the Land Acquisition Collector (for short, "the Collector") on 21.2.1986, granting compensation @ ₹ 35,200/- per acre for chahi land. The learned Additional District Judge vide judgment dated 25.3.1991, assessed the compensation for the acquired land @ ₹ 85,000/- per acre. It is this award, which has been impugned in both the appeals.

In the case in hand, all other sale-deeds, except Ex. P1 and R2, which were same, were rejected by the learned Court below for the reason

that the same were not shown on any site plan produced on record or the same were located at quite a distance from the acquired land or that the quality dealt with therein was not comparable.

Having relied upon the aforesaid two sale-deeds, Ex. P1 and R2, as the both are same, and without application of any cut, the learned Court below assessed the compensation for the acquired land @ ₹ 85,000/- per acre. The State is not in appeal and the impugned award passed by the Court below does not call for any interference by this Court in the appeals filed by the landowners, considering the fact that there is no other relevant evidence produced on record.

Accordingly, the appeals are dismissed.

1.9.2015
vs.

(Rajesh Bindal)
Judge