

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

R. F. A. No. 1406 of 1991 (O&M)

Date of decision : 12.8.2015

State of Haryana and another

..... Appellants

VS

M. K. Dewan (deceased) through LRs

..... Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Abhinash Jain, Assistant Advocate General, Haryana.
Mr. Harminder Singh, Advocate, for the respondents.

Rajesh Bindal J.

The State has filed the present appeal against the award of the learned Court below seeking reduction in the amount of compensation awarded for the acquired land.

Briefly, the facts are that land of the claimant was sought to be acquired vide Notification dated 6.1.1977, issued under Section 4 of the Land Acquisition Act, 1894, by the State of Haryana for development and utilisation thereof as industrial area in Village Hasanpur, Hadbast No. 37, Tehsil Bahadurgarh, District Rohtak. Notification under Section 6 of the Act was issued on 6.1.1977. The Land Acquisition Collector (for short, 'the Collector') vide award dated 18.2.1977 assessed the compensation @ ₹ 20,560/- per acre for the land falling in Block-A and ₹ 20,000/- per acre for the land falling in Block-B. Thereafter, the claimant filed application under Section 28-A(3) of the Act, seeking assessment of compensation for the acquired land. The learned learned Court below while relying upon judgment of this Court assessed the compensation @ ₹ 18.60 per square yard. Now the State has filed the appeal seeking reduction in compensation.

Learned counsel for the State could not dispute the fact that the amount of compensation awarded by the learned Court below is in consonance with the judgment of this Court in RFA No. 1501 of 1982-Maya Devi etc. vs State of Haryana etc., decided on 18.5.1990, hence, the claim made for reduction in compensation for the acquired land in the present appeal does not survive.

Accordingly, for the reasons recorded in Maya Devi's case (supra), the present appeal is dismissed.

12.8.2015
vs.

(Rajesh Bindal)
Judge