

In the High Court of Punjab and Haryana at Chandigarh

**1. Regular First Appeal No. 2176 of 1995
Date of Decision: 29.7.2015.**

Raj and othersAppellants

Versus

State of Haryana and anotherRespondents

2. Regular First Appeal No. 2177 of 1995

Jagdish KalraAppellant

Versus

State of Haryana and anotherRespondents

3. Regular First Appeal No. 2207 of 1995

Sham Sunder and anotherAppellants

Versus

State of Haryana and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. C.B.Goel, Advocate
for the appellants.

Ms. Gaganpreet Kaur, AAG, Haryana.

SABINA, J.

Vide this judgment, above mentioned appeals would be

disposed of as these have arisen out of the same acquisition.

Land situated in village Khandsa was sought to be acquired for construction of Drivers Training School and Central Body Building Workshop. Notification under Section 4 of the Land Acquisition Act, 1894 ('Act' for short) was issued on 18.5.1985. Land Acquisition Collector vide its award dated 17.12.1985, assessed the market value of the land at the rate of ₹ 55,000/- per acre qua chahi land and at the rate of ₹ 30,000/- per acre for *gair mumkin* land.

Being dissatisfied with the amount of compensation awarded by the Land Acquisition Collector, land owners sought references under Section 18 of the Act. The Reference Court vide award dated 24.7.1995 assessed compensation at the rate of ₹ 50/- per square yard. Hence, the present appeals by the appellants.

Learned counsel for the appellants has submitted that the market value of the land, assessed by the Reference Court, was on the lower side. The land was situated in district Gurgaon and had great potential value.

Learned State counsel, on the other hand, has submitted the references sought by the land owners were disposed of in terms of the decision given by the Reference Court in Reference Petition No. 76 of 4.4.1992 titled 'Sham Sunder and others versus State of Haryana'. Learned State counsel has further submitted that in the said case, the Reference Court had assessed the market value of the land basing reliance on award passed by the Reference Court in case titled 'Chidda Singh and others versus State of Haryana and another' dated 16.8.1991 (Exhibit PA). So far

as Exhibit. PA is concerned, the State as well as the land owners

had filed appeals in this Court and the State appeals have been allowed. Learned State counsel has further submitted that these appeals are covered by the decision given by this Court in Regular First Appeal No. 2599 of 1991 and other connected matters titled 'State of Haryana and another versus Chhida Singh and others' decided on 29.7.2015.

Since the present appeals relate to the same acquisition as involved in RFA No. 2599 of 1991, these appeals are disposed of in terms of the decision of this Court in Regular First Appeal No. 2599 of 1991 titled 'State of Haryana and another versus Chhida Singh and others' decided on 29.7.2015.

**(SABINA)
JUDGE**

July 29, 2015
Gurpreet