

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

**RFA No. 1842 of 1997 (O&M)  
LAC No. 72 (RBT) of 28.1.1997/ 10.10.1996**

Date of decision : 19.10.2015

State of Haryana and another

..... Appellant

VS

Rias Ahmad

..... Respondent

**Coram: Hon'ble Mr. Justice Rajesh Bindal**

**Present: Mr. Arun Beniwal, Deputy Advocate General, Haryana.**

**Rajesh Bindal J.**

The State is in appeal seeking reduction in the amount of compensation awarded to the landowner for the acquired land.

Briefly the facts of the case are that vide notification dated 1.10.1973 issued under Section 4 of the Land Acquisition Act, 1894 (for short "the Act"), the Government of Haryana sought to acquire land situated in the revenue estate of village Mewla Maharajpur, Tehsil Ballabgarh, District Faridabad, for development and utilization thereof as residential area in Sector-28 in Ballabhgarh-Faridabad controlled area by HUDA. It was followed by notification under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector') assessed the market value of the acquired land @ ₹ 210/- per marla. The landowner did not file objections. However, after the other cases were decided by the Reference Court, the landowner filed application for redetermination of compensation under Section 28-A of the Act. On reference, the learned Court below assessed the compensation of the acquired land @ ₹ 18/- per square yard.

Learned counsel for the State did not dispute the fact that the award of the learned Court below is in consonance with the judgment of this Court in RFA No. 2106 of 1985 - Moti Ram (deceased) through LRs vs The State of Haryana and others, decided on 1.10.2008, which was decided in terms of the judgment of this Court in RFA No. 1534 of 1977 Radhey Shyam vs The State of Haryana and others, decided on 18.4.1979.

For the reasons recorded in Radhey Shyam's case (supra), the appeal filed by the State is dismissed. Consequently, the application for delay is also dismissed.

19.10.2015  
vs.

**(Rajesh Bindal)**  
**Judge**