

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

RFA No. 2223 of 1997 (O&M)

Date of decision :14.12.2015

Harbir Singh

... Appellant

vs

State of Haryana

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Rakesh Nagpal, Advocate, for the landowner in
RFA No.2223 of 1997.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal, J.

This order will dispose of a bunch of appeals bearing RFA Nos.2223, 2285, 2297, 2487 to 2489 of 1997 and 374 of 1998, as common questions of law and facts are involved therein.

The landowners are in appeals seeking enhancement of compensation for the acquired land, whereas the State is in appeals seeking reduction thereof.

Briefly, the facts of the case are that State of Haryana vide notification dated 1.8.1989, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') sought to acquire land measuring 5.90 acres situated in village Patti Kaisth Seth, Hasbast No.24, Tehsil and District Kaithal for development and utilization thereof for road for Urban Estate, Kaithal. The same was followed by notification dated 2.8.1989, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award No.3 dated 31.7.1991, assessed the market value of the acquired land @ ₹ 1,20,000/- per acre for Chahi, Nehri and Barani land. Aggrieved against the award of the Collector, the landowners filed objections which were referred to the learned court below, who keeping in

view the material placed on record by the parties, assessed the compensation for the acquired land @ ₹ 2,90,000/- per acre. These awards have been impugned by the landowners as well as by the State before this Court.

Learned counsel for the parties did not dispute the fact that for the acquisition of land carried out vide notification dated 25.9.1989 pertaining to revenue estate of village Patti Kaisth Seth, Patti Gaddar and Bhaini Majra for development as Sector-19 Part-III, Kaithal, this Court in RFA No.1206 of 1996—Manohar Lal and others v. Haryana State and another, decided on 6.7.2000 had assessed compensation @ ₹ 2,03,478/- per acre for the land falling in group 'A' and ₹ 1,83,478/- per acre for the land falling in group 'B'.

Aforesaid judgment was subject matter of intra-court appeal.

This Court vide order dated 9.9.2008 in LPA No.350 of 2001—Mahohar Lal and others v. State of Haryana and another, had assessed compensation @ ₹ 2,89,701/- per acre for all kinds of land. In the present case, the land pertaining to revenue estate of village Patti Kaisth Seth was acquired vide notification dated 1.8.1989 for development and utilization thereof for road for Urban Estate, Kaithal. The learned reference court has already awarded compensation @ ₹ 2,90,000/- per acre.

Considering the assessment of compensation pertaining to the land of the same revenue estate carried out about two months later in time, in my opinion, the award of the learned court below does not call for any interference in the appeals filed by either of the parties. Accordingly, the same are dismissed.

14.12.2015

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(Rajesh Bindal)

Judge