

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

**RFA No. 2828 of 1998 (O&M)
LAC No. 545 of 1995/1997**

Date of decision : 9.10.2015

Bhagat Singh and others

..... Appellants

VS

State of Haryana and another

..... Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: None for the landowners.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal J.

This order shall dispose of RFA Nos. 2828 of 1998, and 93 of 2000, as the same arise out of common acquisition.

The landowners have filed the present appeal seeking enhancement of compensation for the acquired land, whereas by filing appeal, the State of Haryana is seeking reduction thereof.

Briefly, the facts are that land situated in the revenue estate of Village Badkhal, Hadbast No.6, Tehsil Ballabgarh, District Faridabad, was sought to be acquired vide notification dated 11.5.1990, issued under Section 4 of the Land Acquisition Act, 1894 (for short, the Act), by the State of Haryana for development and utilisation thereof as Institutional Sector 48, Faridabad. It was followed by notification under Section 6 of the Act. The Land Acquisition Collector (for short, "the Collector"), assessed the compensation for the acquired land. Aggrieved against the award of the Collector, the landowners filed objections. On reference, the learned Court below while relying upon the earlier award pertaining to acquisition for the same purpose in the same area, where notification under Section 4 of the Act was issued on 20.4.1987 assessed the compensation of the acquired land @ ₹ 308/- per square yard. It is this award, which has been impugned in the present appeals by both the parties.

Learned counsel for the State submitted that the issue involved in the present appeal is squarely covered by judgment of this Court in LPA No. 1367 of 2001 Suresh Chand Garg vs State of Haryana and others, decided on 10.8.2005, whereby the compensation for the land acquired was assessed @ ₹ 250/- per square yard, which was upheld by Hon'ble the Supreme Court in Civil Appeal No. 4093 of 2014 State of Haryana and others vs Suresh Chand Garg decided on 26.3.2014.

Accordingly, for the reasons recorded in the aforesaid judgments, the appeal filed by the State is allowed and that of the landowner is dismissed.

9.10.2015
vs.

(Rajesh Bindal)
Judge