

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

RFA No. 635 of 1997 and
Cross-Objection No. 131/CI of 1997 (O&M)

Date of decision : 24.8.2015

State of Haryana

.. Appellant

versus

Murari Lal

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Shiv Kumar and Mr. Rajiv Sharma, Advocates,
for the landowners.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal, J.

This order will dispose of RFA Nos. 635 of 1997, 699 of 1999, 2259 of 2000, 571 and 1231 of 2011, and cross-objection no. 131/CI of 1997 in RFA No. 635 of 1997, as the same arise out of common acquisition.

The State by filing appeals is seeking reduction of compensation awarded to the landowners for the acquired land, whereas by filing appeals and the cross-objections, the landowners are seeking enhancement thereof.

Brief facts of the case are that vide notification dated 26.12.1988, issued under Section 4 of the Land Acquisition Act, 1894 (for short "the Act"), State of Haryana sought to acquire land situated in village Jharsently, Hadbast No. 44 and village Ballabgarh, Hadbast No. 78, Tehsil Ballabgarh, District Faridabad for Industrial Sector 58, Faridabad. The same was followed by notification dated 22.12.1989, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award dated 19.12.1991, assessed the market value @ ₹ 2,40,000/- per acre for Chahi, Nehri, Magda, Banjar Kadim and Gair Mumkin land and ₹ 1,50,000/- per acre for Gair Mumkin Talab pertaining to village Jharsently and ₹ 2,40,000/- per acre for the land pertaining to village Ballabgarh.

Dissatisfied with the award of the Collector, the land owners filed objections. On reference, the learned court below enhanced the compensation. The land owners as well as State have now impugned the awards of the learned Court below.

Learned counsel for landowners submitted that the claim made in the present set of appeals is squarely covered with the judgment of Hon'ble the Supreme Court in Civil Appeal No. 11042 of 2014 Satbir Singh vs State of Haryana, decided on 10.12.2014, whereby the compensation payable to the land owners was further enhanced to ₹ 175/- per square yard.

Learned counsel for the State did not dispute the aforesaid factual position.

Since Hon'ble the Supreme Court has further enhanced the compensation for the acquired land, the claim of the State for reduction does not survive.

Accordingly, for the reasons recorded in Satbir Singh's case (supra), the appeals filed by the State are dismissed and the appeals and the cross-objections filed by the landowners are allowed in the same terms.

24.8.2015
vs

(Rajesh Bindal)
Judge