

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

R.F.A. No. 4048 of 1998 (O&M)

Date of decision : 1.9.2015

Kamla Devi alias Kamal Sharma

.... Appellant

VS

State of Haryana

.... Respondent

Coram : Hon'ble Mr. Justice Rajesh Bindal

Present:- Mr. Rajinder Goyal, Advocate, for the appellant.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal, J

The landowner is in appeal seeking enhancement of compensation for the acquired land.

Briefly, the facts are that land situated in the revenue estate of villages Naraingarh Hadbast No. 88, and Milk, Hadbast No. 307, Tehsil Naraingarh, District Ambala was sought to be acquired by the State of Haryana vide notification dated 8.2.1989 issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') for development and utilization thereof as residential, commercial and industrial area. Notification under Section 6 of the Act was issued on 7.2.1990. The Land Acquisition Collector vide award dated 5.2.1992 determined the market value of the acquired land of village Naraingarh @ ₹ 1,37,223/- per acre for chahi, ₹ 1,75,000/- per acre for gair mumkin, ₹ 50,000/- per acre for banjar kadim, ₹ 1,50,000/- per acre for barani kind of land. Aggrieved against the award of the Collector, the land owners filed objections which were referred to the learned court below, who keeping in view the material placed on record by the parties, assessed the market value of the acquired land @ ₹ 2,000/- per marla. Aggrieved against the award of learned Court below, the landowner is in appeal before this Court.

Learned counsel for the landowner submitted that the issue raised in the present appeal is squarely covered by judgment of this court in

RFA No. 2617 of 2001- Surinder Kumar vs State of Haryana and another
decided on 13.11.2009, whereby the compensation payable to the
landowners was further enhanced to ₹ 3,200/- per marla.

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

Accordingly, for the reasons recorded in Surinder Kumar's
case (supra), the present appeal is disposed of in the same terms.

1.9.2015
vs.

(Rajesh Bindal)
Judge