

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

RFA No. 4812 of 1998 (O&M)

LAC No. 24 of 1996/98

Date of decision : 15.9.2015

State of Haryana and another

.. Appellants

vs

Mam Chand

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Abhinash Jain, Assistant Advocate General, Haryana.

Rajesh Bindal, J.

This order will dispose of RFA Nos. 4812 to 4820 of 1998 and 31 and 32 of 1999, as the same arise out of common acquisition.

The State is in appeal seeking reduction of compensation awarded to the landowners by the learned court below for the acquired land.

Briefly, the facts of the case are that vide notification dated 6.4.1989, published on 25.4.1989, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), State of Haryana sought to acquire land measuring 0.96 acre in village Pahari, Tehsil Pataudi, District Gurgaon for construction of Rewari-Pataudi road to village Bapas in Gurgaon. The same was followed by notification dated 5.4.1990, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award dated 23.4.1992, assessed the market value @ ₹ 70,080/- per acre for chahi land and ₹ 50,080/- per acre for bhood land. Dissatisfied with the award of the Collector, the land owners filed objections. On reference, the learned court below assessed the market value of the acquired land @ ₹ 1,10,000/- per acre.

A perusal of the impugned award shows that merely 0.96 acre of land was acquired for the purpose of construction of road. Notification

under Section 4 of the Act was issued more than 25 years back. The learned Court below while assessing the compensation of the acquired land placed reliance upon its earlier award, Ex. P1, pertaining to the same acquisition. Nothing has been pointed to show the status thereof.

In any case, the acquisition being for land merely less than an acre, I do not find any reason to interfere with the impugned award. Accordingly, the appeals are dismissed.

15.9.2015

vs

(Rajesh Bindal)
Judge