

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

RFA No. 932 of 1998 (O&M)

Date of decision : 11.8.2015

Krishan Kumar and others

.. Appellants

versus

The State of Haryana and another

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Shalendra Jain, Senior Advocate with
Mr. Vikrant Rana and Mr. Gaurav Aggarwal, Advocates,
for the appellants.

Mr. Abhinash Jain, Assistant Advocate General, Haryana.

Rajesh Bindal, J.

By filing the present appeal, the landowners are seeking enhancement of compensation for the acquired land.

Briefly the facts are that vide notification dated 30.1.1989 issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), the State of Haryana sought to acquire land situated within the revenue estate of village Salokhra, Tehsil and District Gurgaon, for development and utilization thereof as residential and commercial area. The same was followed by notification issued under Section 6 of the Act on 25.1.1990. The Land Acquisition Collector (for short, 'the Collector'), vide award dated 22.1.1992 assessed the market value of the acquired land @ ₹ 2,50,000/- per acre. Dissatisfied with the award of the Collector, the landowners filed objections. On reference under Section 18 of the Act, the learned court below vide award dated 10.12.1997 determined the market value of the acquired land @ ₹ 11,00,000/- per acre. It is this award which has been impugned in the present appeal.

Learned counsel for the landowners could not dispute the fact that for the acquisition carried out in the same village vide notification dated 17.4.1989 issued under Section 4 of the Act, this Court in RFA No. 1971 of

2002 Naut Ram and others vs State of Haryana and another, decided on 15.10.2010, had assessed the compensation @ ₹ 8,23,500/- per acre. The award of the Collector was ₹ 2,50,000/- per acre. The learned Reference Court has awarded compensation to the landowners in the present case @ ₹ 11,00,000/- per acre. Hence, no case for enhancement of compensation is made out.

Learned counsel for the State has not pointed out that State has filed any appeal against the award of the Reference Court.

Considering the judgment of this Court in Naut Ram's case (supra), no case for enhancement is made out. Accordingly, the appeal is dismissed.

11.8.2015
vs

(Rajesh Bindal)
Judge