

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

RFA No. 886 of 2004 (O&M)

Date of decision : 11.8.2015

Devi Ram and others

.. Appellants

versus

The State of Haryana

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: None 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 villages Salokhra and Sukhrali, Tehsil and District Gurgaon, for development and utilization thereof as residential and commercial, Sector-30, Gurgaon. Notification under Section 6 of the Act was issued 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 29.11.2003 determined the market value of the acquired land @ ₹ 7,34,175/- per acre. It is against this award which is impugned in the present appeal.

No one has appeared for the landowners at the time of hearing.

Learned counsel for the State could not dispute the fact that for the acquisition carried out in the same villages vide notification dated 17.4.1989 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 @ ₹ 7,34,175/- per acre.

Considering the judgment of this Court in Naut Ram's case (supra), whereby this Court assessed the compensation for the land acquired in the same villages vide notification under Section 4 of the Act dated 17.4.1989, @ ₹ 8,23,500/- per acre, the appeal filed by the landowners seeking enhancement of compensation deserves to be allowed. Accordingly, the amount of compensation in the acquisition is assessed @ ₹ 8,23,500/- per acre. The landowners shall also be entitled to all the statutory benefits as available to them under the Act.

As none has appeared for the landowners, a copy of this order be sent to the landowners for information.

The appeal stands disposed of accordingly.

11.8.2015
vs

(Rajesh Bindal)
Judge