

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

**RFA No. 2790 of 2008 (O&M)
LAC No. 15 of 12.3.2004**

Date of decision : 9.10.2015

State of Haryana and another

..... Appellants

vs

Smt. Kamlesh Bhatia

..... Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Arun Beniwal, Deputy Advocate General, Haryana.

None for the respondent.

Rajesh Bindal J.

The State of Haryana has filed the present appeal seeking reduction of compensation awarded to the landowner for the acquired land.

Briefly, the facts are that land situated in the revenue estate of Villages Ankhir and Fatehpur Chandela, Tehsil and District Faridabad, was sought to be acquired vide notification dated 11.5.1990, issued under Section 4 of the Land Acquisition Act, 1894 (for short, the Act), by the State of Haryana for development and utilisation thereof as residential and commercial area for Sector-21-D, Faridabad. Notification under Section 6 of the Act was issued on 8.5.1991. The Land Acquisition Collector (for short, “the Collector”) vide award dated 5.5.1993, assessed the compensation for the acquired land @ ₹ 3,50,000/- per acre. The landowner did not file objections. However, after the other cases were decided by the Reference Court, the landowner filed application for redetermination of compensation under Section 28-A(3) of the Act. On reference, the learned Court below assessed the compensation of the acquired land @ ₹ 281.76 per square yard.

Learned counsel for the State submitted that the issue raised in the present appeal is squarely covered by Division Bench judgment of this court in LPA No. 1367 of 2001 Suresh Chand Garg vs State of Haryana and others, decided on 10.8.2005, whereby the compensation for the land

acquired vide same notification was assessed @ ₹ 250/- per square yard, which was upheld by Hon'ble the Supreme Court in Civil Appeal No. 4093 of 2014 State of Haryana and others vs Suresh Chand Garg decided on 26.3.2014.

Accordingly, for the reasons recorded in the aforesaid judgments, the appeal filed by the State is allowed.

9.10.2015

vs.

(Rajesh Bindal)
Judge