

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

R.F.A No. 854 of 2008 (O&M)

Date of decision : **14.9.2015**

The State of Haryana

..... Appellant

vs

Bimlesh and others

.... Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

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

Mr. M.L. Sarin, Senior Advocate with
Mr. Hemant Sarin, Advocate, for the landowners.

Rajesh Bindal J.

This order will dispose of a bunch of appeals bearing RFA Nos.854, 5310 to 5313, 5453, 5454 , 5771 of 2008, 1682 to 1684 of 2009, 4240, 4568, 4924 and 4925 of 2010, as common questions of law and facts are involved therein.

The State is in appeal seeking reduction of compensation for the acquired land, whereas, the landowners are in appeal seeking enhancement thereof.

Briefly, the facts are that vide notification dated 16.03.1998, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), State of Haryana sought to acquire land measuring 46.04 acres situated within the revenue estate of village Unchagaon, Tehsil Ballabgarh, District Faridabad, for institutional, residential and commercial purposes for Sector 62, Faridabad. The same was followed by notification issued under Section 6 of the Act dated 26.02.1999. The Land Acquisition Collector (for short, "the Collector") vide his award dated 13.02.2001 assessed the market value of the acquired land. Dissatisfied with the award of the Collector, the landowners filed objections. On reference, the learned court below determined fair market value of the

acquired land @ ₹ 465/- per square yard. The same has been impugned by the State as well as by the landowners in the present appeals.

Learned counsel for the landowners submitted that the claim made in the present set of appeals is squarely covered by judgment of this Court in RFA No. 1664 of 2009-- The State of Haryana and another vs Gaje Singh and others, decided on 20.7.2010.

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

Accordingly, for the reasons recorded in Gaje Singh's case (supra), the present appeals are disposed of in the same terms.

(Rajesh Bindal)
Judge

14.9.2015

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