

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

RFA No. 4606 of 2009 (O&M)

LAC No. 9 of 7.8.2002

Date of decision : 10.12.2015

The State of Haryana and another	vs	.. Appellants
Prem Singh and others		.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Shivendra Swaroop, Assistant Advocate General, Haryana.

Rajesh Bindal, J.

This order will dispose of RFA Nos. 4606 to 4610 of 2009 and 1044 of 2010, as the same arise out of common acquisition.

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

Briefly, the facts of the case are that the State of Haryana vide notification dated 14.1.1999 issued under Section 4 of the Land Acquisition Act, 1894 (for short, "the Act"), sought to acquire 4.80 acres of land situated within the revenue estate of village Palwal, Tehsil and District Palwal, for construction of Sewage Treatment Plant. Notification under Section 6 of the Act was issued on 29.4.1999. The Land Acquisition Collector (for short, 'the Collector') vide award dated 16.3.2011 assessed the market value of the acquired land @ ₹ 2,92,800 per acre. The landowners feeling dissatisfied with the amount of compensation awarded by the Collector, filed objections. On reference under Section 18 of the Act, the learned court below determined the market value of the acquired land by granting ₹ 225/- per square yard. This award has been impugned in the present set of appeals by the State.

Learned counsel for the State did not dispute the fact that subsequent to the acquisition in question, at the same place the land was acquired for the same purpose where notification under Section 4 of the Act was issued on 28.5.1999. In the aforesaid case the assessment of compensation by the Reference Court @ ₹ 225/- per square yard was upheld by this Court vide judgment in RFA No. 4025 of 2001 Chatar Singh vs State of Haryana and another decided on 29.11.2006.

Considering the aforesaid aspect and the fact that the acquisition in the present case is four months earlier in time and the acquired land is merely 4.80 acres, award of compensation at the same rate does not call for any interference by this Court in the appeals filed by the State . Accordingly, the appeals are dismissed.

10.12.2015
vs

(Rajesh Bindal)
Judge