

In the High Court of Punjab and Haryana at Chandigarh

**1. Regular First Appeal No. 5454 of 2009 (O&M)
Date of Decision: 05.8.2015.**

State of HaryanaAppellant

Versus

Prem Chand and anotherRespondents

2. Regular First Appeal No. 5455 of 2009 (O&M)

State of HaryanaAppellant

Versus

Sudarshan and anotherRespondents

3. Regular First Appeal No. 5456 of 2009 (O&M)

State of HaryanaAppellant

Versus

Krishan Lal and anotherRespondents

4. Regular First Appeal No. 5457 of 2009 (O&M)

State of HaryanaAppellant

Versus

Saroj Kumar and anotherRespondents

5. Regular First Appeal No. 5458 of 2009 (O&M)

State of HaryanaAppellant

Versus

Anita and anotherRespondents

6. Regular First Appeal No. 5459 of 2009 (O&M)

State of Haryana

.....Appellant

Versus

Manmohan Mehta and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. B.R.Mahajan, Advocate General, Haryana with
Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Bhag Singh, Advocate
for the land owners.

SABINA, J.

Vide this judgment, above mentioned appeals would be disposed of as these have arisen out of the same award.

Land measuring 47.09 acres was sought to be acquired in village Sonda for the construction of water works as canal based scheme for Urban Estate, Ambala City. Notification under Section 4 of the Land Acquisition Act, 1894 ('Act' for short) was issued on 6.7.2000 and notification under Section 6 of the Act was issued on 7.7.2000. Land Acquisition Collector vide its award dated 9.1.2002 assessed the market value of the residential land at the rate of ₹ 170/- per square yard.

Being dissatisfied with the award passed by the Land Acquisition Collector, land owners sought referenced under Section 18 of the Act. The Reference court vide the impugned award dated 30.8.2008 assessed the market value of the land at the rate of ₹ 438/- per square yard. Hence, the present appeals by State.

Learned Advocate General has submitted that the Reference Court has erred in enhancing the market value of the

acquired residential land from ₹ 170/- per square yard to ₹ 438/- per square yard.

Learned counsel for the land owners, on the other hand, has opposed the appeals.

In the present case, the Land Acquisition Collector had assessed the market value of the acquired residential land of village Sonda at the rate of ₹ 170/- per square yard. The Reference Court while enhancing the said amount has noticed that admittedly at the time of acquisition of land, Sectors 8, 9 and 10 were already developed. From the site plan placed on record by the claimants, it was evident that the land was adjacent to Sector 10, Ambala City. Even Bus Stand was situated at a distance of approximately two kilometers from the acquired land.

In the facts and circumstances of the present case, the market value of the acquired residential land as assessed by the Reference Court does not deserve to be reduced.

Accordingly, all these appeals are dismissed.

**(SABINA)
JUDGE**

August 05, 2015
Gurpreet