

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

RFA No. 2154 of 2011 (O&M)

Date of decision : 13.5.2015

Haryana State Industrial Development Corporation Limited

.. Appellant

versus

Balvinder Kaur and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Rishi Pal, Advocate for Mr. Partap Singh, Advocate,
Mr. Rajesh Hooda, Advocate for
Mr. Kamal Sehgal, Advocate, for the HSIIDC.
Mr. Raj Kumar Makkad, Deputy Advocate General, Haryana.
Mr. Deepak Sharma and Mr. Sanjay Jain, Advocates,
for the landowners.

Rajesh Bindal, J.

This order will dispose of RFA Nos. 2154, 2165, 2191, 6730 of 2011, 514 of 2012, 3335, 3336, 4358 of 2013, 3650, 4431, 4432 of 2014, 1392 of 2015 and cross-objections no. 53/CI of 2014, as the same arise out of common acquisition.

The appeals have been filed by the Haryana State Industrial & Infrastructure Development Corporation Limited (for short, 'the Corporation') seeking reduction of compensation awarded to the landowners for the acquired land, whereas by filing appeals and cross-objections, the landowners are seeking enhancement of the compensation.

Briefly, the facts of the case are that State of Haryana vide notification dated 31.7.1996, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') sought to acquire land measuring 2,920 kanals and 7 marlas, situated in village Dhakola Hadbast No. 135 and 196 kanals and 14 marlas, situated in village Rampur Hadbast No. 155, Sub Tehsil Saha, Teshil and District Ambala for setting up of Growth Centre to

develop Integrated Industrial Complex. The same was followed by notification dated 30.7.1997, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award dated 28.7.1999, assessed the market value of different kinds of land, situated in village Dhakola as under:

<u>Kind of land</u>	<u>Rate per acre in ₹</u>
Block 'A' area falling within 2 acres on either sides of Haryana State Highway	2,00,000/-
Chahi/Baag Chahi	1,75,000/-
Barani/Baag Barani	1,50,000/-
Banjar Kadeem/Gair Mumkin	1,00,000/-

For the land, situated in village Rampur, the Collector, vide its award dated 28.7.1999, assessed the compensation as under:

<u>Kind of land</u>	<u>Rate per acre in ₹</u>
Chahi/Baag Chahi	1,75,000/-
Gair Mumkin Rasta	1,00,000/-

Aggrieved against the awards of the Collector, the land owners filed objections which were referred to the learned court below, who keeping in view the material placed on record by the parties, assessed the market value of the acquired land @ ₹ 110/- per square yard upto the depth of 2 acres situated on Panchkula-Shahbad Delhi road and ₹ 100/- per square yard for rest of the land. The aforesaid award has been impugned by the landowners as well as the Corporation in the present set of appeals and cross objections.

Learned counsel for the parties are agreed that claim made in the present set of appeals is squarely covered by judgment of this Court in RFA No. 2028 of 2011 Kashmir Singh and others vs State of Haryana, decided on 25.9.2014, whereby the compensation was further enhanced. Special Leave to Appeal (C) No. 4319-4356 of 2015 Somnath (D) through LRs and others vs State of Haryana and another filed against the judgment of this Court was dismissed by Hon'ble the Supreme Court on 23.2.2015.

Accordingly, for the reasons recorded in Kashmir Singh's case (supra), the appeals as well as the applications filed by the Corporation are dismissed and the appeals and cross-objections filed by the landowners are disposed of in the same terms.

13.5.2015
vs

(Rajesh Bindal)
Judge