

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

**RFA No. 2738 of 2012 (O&M)
LAC No. 116 of 2010**

Date of decision : 9.10.2015

The State of Haryana and another

..... Appellants

vs

Jagdev Singh Patyal and another

..... Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Arun Beniwal, Deputy Advocate General, Haryana.
Mr. Vikas Kumar, Advocate, for the landowner in
RFA No. 4543 of 2015.

Rajesh Bindal J.

This order shall dispose of RFA Nos. 2738 of 2012 and 4543 of 2015, as the same are cross appeals.

The landowner has filed the present appeal seeking enhancement of compensation for the acquired land, whereas by filing appeal, the State of Haryana is seeking reduction thereof.

Briefly, the facts are that land situated in the revenue estate of Village Badkhal, Tehsil and District Faridabad, was 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 @ ₹ 250/- per square yard. Now both the parties are in appeal before this Court.

Learned counsel for the parties agreed that the issue raised in the present appeals is squarely covered by judgment of this court in LPA No. 1367 of 2001 Suresh Chand Garg vs State of Haryana and others, decided on 10.8.2005, 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.

For the reasons recorded in Suresh Chand Garg's case (supra), the present appeals are dismissed. Consequently, the application for delay in RFA No. 4543 of 2015 is also dismissed.

9.10.2015
vs.

(Rajesh Bindal)
Judge