

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

RFA No.7241 of 2011 (O&M)

Date of decision: 2.9.2015

Bharat Petroleum Corporation Ltd.

..... Appellant

Versus

Het Lal and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL**

Present: Mr. Raman Sharma Advocate, for the appellant.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

**RAJESH BINDAL, J**

This order will dispose of two appeals bearing RFA Nos.7241 and 7242 of 2011, as common questions of law and facts are involved therein.

By filing the appeals, the Bharat Petroleum Corporation Ltd. (for short 'the Corporation') is seeking reduction in the amount compensation awarded to the landowners for the acquired land.

Brief facts of the case are that the State of Haryana vide notification dated 11.1.1985, issued under Section 4 of the Land Acquisition Act, 1894 (for short 'the Act') sought to acquire land situated within the revenue estate of village Piyala, Hadbast No.54, Tehsil Ballabgarh, District Faridabad, for setting up of a Liquified Petroleum Gas Bottling Plant by the Corporation. Notification under Section 6 of the Act was issued on 13.5.1985. The Land Acquisition Collector (for short, 'the Collector') vide award dated 10.12.1985 assessed the market value of the acquired land @ ₹ 55,000/- per acre. The landowners feeling dissatisfied with the award of the Collector, filed objections. Considering the material placed on record, the learned court below vide its award dated 8.6.2009, while relying upon its earlier award, determined the market value of the acquired land @ ₹ 30/- per square yard. This award has been impugned by the Corporation before this Court.

Learned counsel for the parties are agreed that the issue raised in

the present appeals is squarely covered by the judgment of this Court in RFA No.1725 of 2010—Bharat Petroleum Corporation Limited v. Omvir and others, decided on 13.5.2015, whereby the matter has been remanded back to the learned Reference Court for decision afresh.

Accordingly, for the reasons recorded in Omvir's case (supra), the present appeals are also remanded back to the court below to be decided afresh.

Parties through their counsels are directed to appear before learned District Judge, Faridabad on 19.9.2015. It is directed that the present cases be also entrusted to the learned Court which is dealing with the cases remanded earlier.

**(RAJESH BINDAL)**  
**JUDGE**

2.9.2015

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