

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

RFA No. 197 of 2015 (O&M)
Date of decision : 06.11.2015

Ram Dhari and others

... Appellants

vs

State of Haryana

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Ashish Gupta, Advocate,
Mr. S.N. Pillania, Advocate,
Mr. Pankaj Middha, Advocate,
Mr. S.N. Pillania, Advocate for
Mr. Johan Kumar, Advocate, for the appellants.
Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal, J.

This order will dispose of a bunch of appeals bearing RFA Nos.197, 282, 2038 and 2984 and 5857 of 2015, as common questions of law and facts are involved therein.

The landowners are in appeals seeking enhancement of compensation for the acquired land.

Briefly, the facts are that vide notification dated 9.9.2002, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), the State of Haryana sought to acquire 380.11 acres of land situated in village Jind, Hadbast No. 79 and 98.89 acres of land situated in village Haibatpur, Hadbast No. 72, Tehsil and District Jind, for development and utilisation thereof as residential, commercial sectors 6, 7, 8, and 9 at Jind. Notification under Section 6 of the Act was issued on 8.9.2003. The Land Acquisition Collector (for short, 'the Collector') vide award no. 6 dated 6.9.2005 awarded compensation for the acquired land of revenue estate of village Jind @ ₹ 10,00,000/- per acre near road upto one acre depth and ₹ 7,00,000/- per acre for the remaining land. Vide award no.7 dated 6.9.2005,

the Collector awarded compensation @ ₹ 6,00,000/- per acre for the land near road upto to one acre depth and ₹ 5,50,000/- per acre for the remaining acquired land of village Haibatpur. Dissatisfied with the awards of the Collector, the landowners filed objections, which were referred to the learned court below. The learned reference court determined the market value of the acquired land @ ₹ 8,47,000/- per acre for the land situated beyond one acre from the road and ₹ 11,02,000/- per acre for the land situated upto one acre depth from the road and for Nehri, Chahi and Gair Mumkin land pertaining to village Jind. For the land pertaining to village Haibatpur, the court below determined the market value of the acquired land @ ₹ 6,78,000/- per acre for the land situated beyond one acre depth from the road and ₹ 8,82,000/- per acre for the land situated upto one acre depth from the Jind-Safidon road and ₹ 8,14,000/- per acre for the land situated upto one acre depth on each side of the Jind-Haibatpur road. Aggrieved against the award of the learned court below, the landowners filed appeals.

Learned counsel for the landowners submitted that the claim made in the present set of appeals is squarely covered by the judgment of this Court in RFA No. 9821 of 2014- Baru and others v. State of Haryana, decided on 30.10.2015, whereby, compensation for the land acquired vide same notification was further enhanced.

Learned counsel for the State did not dispute the aforesaid factual position.

Accordingly, for the reasons recorded in Baru's case (supra), the present appeals are disposed of in the same terms.

06.11.2015

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(Rajesh Bindal)

Judge