

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM No.1375-CI of 2015 &

R.F.A.No.1584 of 2014

Date of Decision: February 09, 2015

Sarad Kumar

...Appellant

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr.Ramesh Kumar Dhiman, Advocate,
for the appellant.

AMIT RAWAL, J. (Oral)

CM No.1375-CI of 2015

The prayer in the application is to dispose of the present appeal in terms of the judgment dated 5.3.2014 rendered in Regular First Appeal No.5083 of 2009, titled as “Zora Singh Versus State of Haryana & others” on the premise that the subject matter of the notification in the present appeal and in the aforementioned case was the same.

Notice of the application to the non-applicant/State of Haryana.

On the asking of Court, Mr.Abhinash Jain, AAG, Haryana accepts notice on behalf of the State and does not dispute the aforementioned position.

Application is allowed and the order dated 5.3.2014 is taken on

record.

The appeal is taken on board.

RFA No.1584 of 2014

In the present case, the notifications under Sections 4 and 6 of the Land Acquisition Act, 1894 (for short “the Act”) for acquisition of land measuring 44.76 acres, situated in Village Garhi Mundo, Tehsil Jagadhri, District Yamuna Nagar for development and utilization of the land as residential and commercial area for Sector 17 Part in the Urban Estate, Jagadhri were issued on 28.1.2002 and 23.1.2003.

The Land Acquisition Collector, on the basis of the material placed before it, vide award, assessed the market value of the land at the rate of ₹6,000/- per square meter.

Dissatisfied with the above-mentioned award of the Collector, the landowners preferred reference petition under Section 18 of the Act and the Reference Court, vide award, assessed the market value of the acquired land at the rate of ₹1560/- per square meter and the landowners have also been awarded statutory benefits under the Act.

Learned counsel appearing for the appellant relied upon the judgment dated 5.3.2014 passed in RFA No.5083 of 2009 to contend that in respect of the same very notifications, this Court had already disposed of number of Regular First Appeals and determined the market value of the land at ₹2402.40 paisa per square meter.

I have seen the order dated 5.3.2014, which pertained to the same very notifications.

The present appeal is disposed of in terms of order dated

5.3.2014 rendered in Regular First Appeal No.5083 of 2009 (Zora Singh Versus State of Haryana & others). The landowners are entitled to receive the compensation at the rate of ₹1560 + ₹842.40 paisa = ₹2402.40 paise. The order dated 25.7.2013 passed by the Reference Court is accordingly modified to the extent that the appellants are entitled to receive the compensation at the rate of ₹2402.40 paisa per square meter.

The appeal stands disposed of.

February 09, 2015
ramesh

(AMIT RAWAL)
JUDGE