

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

RFA No. 2691 of 2015 (O&M)

Date of decision : 27.5.2015

Shyam Sunder Aggarwal and others

.. Appellants

versus

Haryana State and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Shailendra Jain, Senior Advocate with
Mr. Bhagender, Advocate, for the appellants.

Mr. Raj Kumar Makkad, Deputy Advocate General, Haryana.

Rajesh Bindal, J.

The present appeal has been filed by the landowners seeking enhancement of compensation awarded for the acquired land.

Briefly, the facts of the case are that State of Haryana vide notification dated 29.1.2003, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') sought to acquire land situated in village Mohammadpur Jharsa, Tehsil and District Gurgaon for setting up of Industrial Complex to be planned and developed as Special Economic Zone ('SEZ') Phase-I. The same was followed by notification dated 28.1.2004, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award dated 27.1.2006, assessed the market value of the acquired land @ ₹ 15,00,000/- per acre for the land within urbanisable limit of Gurgaon City and ₹ 12,50,000/- per acre for the land outside the urbanisable limit for all kinds of land. Aggrieved against the award 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 @ ₹ ₹ 31,50,000/- per acre. The aforesaid award has been impugned by the landowners in the present appeal for further enhancement.

Learned counsel for the landowners submitted that the claim made in the present appeal is squarely covered by judgments of this Court in RFA No. 2174 of 2012 - Smt. Savitri Devi vs The Land Acquisition Collector, Gurgaon and others, decided on 23.9.2014, and of Hon'ble the Supreme Court in Civil Appeal No. 3412 of 2015 Sachin and others vs State of Haryana and others, decided on 31.3.2015.

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

Accordingly, for the reasons recorded in Smt. Savitri Devi and and Sachin's cases (supra), the appeal is disposed of in the same terms.

27.5.2015
vs

(Rajesh Bindal)
Judge