

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

RFA No. 3864 of 2015 (O&M)

LAC No. 32 dated 1.3.2007

Date of decision : 1.12.2015

Sham Lal

.. Appellant

vs

State of Haryana and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Amit Singla, Advocate, for the appellant.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Mr. Maninder Singh Saini, Advocate for

Mr. Rose Gupta, Advocate, for respondent no.6.

Rajesh Bindal, J.

The landowner is in appeal seeking enhancement of compensation for the acquired land.

Briefly, the facts of the case are that the State of Haryana vide notification dated 13.11.2002 issued under Section 4 of the Land Acquisition Act, 1894 (for short, "the Act"), sought to acquire 333.36 acres of land situated within the revenue estate of Hisar, for development and utilisation thereof as commercial and residential Sectors 3 and 5, Hisar. Notification under Section 6 of the Act was issued on 10.11.2003. The Land Acquisition Collector (for short, 'the Collector') vide award no.9 dated 8.11.2003 assessed the market value @ ₹ 6,00,000/- per acre for nehri, chahi, gair mumkin, banjar kinds of land and ₹ 5,00,000/- per acre for Taal and Tibba kinds of land. The landowners/claimants feeling dissatisfied with the amount of compensation awarded by the Collector, filed objections. On reference, the learned court below vide award dated 28.8.2014, assessed the market value of the acquired land @ ₹ 724.75 per acre. This award has been impugned in the present appeal by the appellant seeking only enhancement of compensation.

Learned counsel for the appellant has made a statement on 26.11.2015 that there is no dispute regarding apportionment and the only dispute in the present appeal is regarding enhancement of compensation. He further submitted that the issue raised in the present appeal is squarely covered by judgment of Hon'ble the Supreme Court in Special Leave to Appeal (c) No (s). 20531-20565 of 2014 - Narbadi Devi and others, etc. vs State of Haryana and others, etc. decided on 22.8.2014, and judgment of this Court in RFA No. 5626 of 2010 – State of Haryana and others vs Murti Devi and another decided on 26.3.2014, whereby the 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 the aforementioned judgments, the present appeal is allowed in the same terms.

1.12.2015
vs

(Rajesh Bindal)
Judge