

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

RFA No. 3285 of 2014 (O&M)

Date of decision :24.12.2015

Megh Raj @ Sahi Ram

... Appellant

vs

State of Haryana and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Ashok Kumar Khubbar, Advocate,
Mr. Ravindra Jain, Advocate,
Mr. S.S. Dinarpur, Advocate,
Ms. Mannat Anand, Advocate for
Mr. Deepak Saini, Advocate,
Mr. Rohtash Birtt, Advocate for
Mr. Sanjay Verma, Advocate and
Mr. Robin Dutt, Advocate, Advocate, for the landowners.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal, J.

This order will dispose of a bunch of appeals bearing RFA Nos. 3285, 3286, 3834 to 3838, 6343 of 2014, 1491, 2173, 2712, 2713, 3148, 6103 of 2015, as common questions of law and facts are involved therein. However, the facts have been extracted from RFA No.3285 of 2014.

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

Briefly, the facts of the case are that vide notification dated 2.5.2001, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), State of Haryana sought to acquire 8.52 acres of land, situated in village Garhi Mundon and 76.30 acres of land, situated in village Tejli, Tehsil Jagadhri, District Yamuna Nagar for development and utilization thereof as residential and commercial area for Sector 15, Jagadhri. The same was followed by notification dated 30.4.2002 issued

under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award dated 27.4.2004 assessed the market value of the land @ ₹ 6,00,000/- per acre. Aggrieved against the award of the Collector, the landowners filed objections which were referred to the learned court below, who keeping in view the material placed on record by the parties, determined the market value of the acquired land @ ₹ 1,560/- per square meter. The same has been challenged by the landowners in the present set of appeals.

Learned counsel for the landowners submitted that in the present set of appeals, the land was acquired on 2.5.2001. He further submitted that in RFA No. 2061 of 2005- Mani Ram and others v. Land Acquisition Collector and another, decided on 8.5.2015, compensation for the land acquired vide notification dated 10.5.2001 for the same purpose, was assessed @ ₹ 2,300/- per square meter. As there is merely difference of 8 days in two notifications, the landowners deserve to be granted compensation at the same rate.

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

After hearing learned counsel for the parties and considering the fact that between the two acquisitions in the same area, there is difference of merely 8 days, the landowners in the present set of appeals also deserve to be granted same amount of compensation, as has been granted to the landowners, whose land was acquired vide notification dated 10.5.2001.

Considering the aforesaid facts, the present set of appeals are disposed of in terms of Mani Ram's case (supra).

24.12.2015

sharmila

(Rajesh Bindal)
Judge