

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

R.F.A. No. 4227 of 2015 (O&M)

Date of decision: 5.10.2015

The State of Haryana

.. Appellant

v.

Arun Kumar and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal J.

This order will dispose of RFA Nos. 4227 and 4228 of 2015, as the same arise out of a common acquisition.

In the appeals filed by the State, the prayer is for reduction of the amount of compensation awarded to the landowners by the learned Reference Court.

The facts have been extracted from RFA No. 4227 of 2015.

Briefly, the facts of the case are that State of Haryana vide notification dated 2.6.2006, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') sought to acquire land measuring 0.58 acres, situated within the revenue estate of village Shahpur Hadbast No. 125, Tehsil and District Ambala for development and utilization thereof as Storm Water Disposal for Sectors 32-33 and 34, Ambala Cantt. The same was followed by notification dated 5.6.2006 issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award dated 28.4.2008, assessed the market value of the acquired land @ ₹ 8,00,000/- per acre for Chahi land upto depth of two acres.

Aggrieved against the awards 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 @ ₹ 493/- per square yard.

A perusal of the impugned award shows that the court below, while assessing the compensation pertaining to small area of land measuring 0.58 acres acquired for the purpose of storm water disposal for Sectors 32 to 34, Ambala Cantt. placed reliance upon earlier award pertaining to acquisition of land for the aforesaid sectors and granted increase for the time gap. The award of the Reference Court pertaining to acquisition of land for Sectors 32 to 34 was upheld by this Court in RFA No. 2718 of 2011—Dilbagh Singh and others v. State of Haryana, decided on 3.9.2015.

Considering the aforesaid fact, I do not find any reason to interfere with the impugned award. Accordingly, both the appeals as well as the accompanying applications are dismissed.

(Rajesh Bindal)
Judge

5.10.2015
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