

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

RFA No. 4908 of 2015 (O&M)
LAC No. 41 dated 19.5.2012

Date of decision : 20.11.2015

Hari Mittar (deceased) through LR Appellant
vs
State of Haryana and another Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. J. S. Khattar, Advocate for
Mr. Deepak Sharma, Advocate, for the appellant.
Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal J.

The appeal has been filed seeking enhancement of compensation for the acquired land.

Briefly, the facts are that vide notification dated 28.2.2006, issued under Section 4 of the Land Acquisition Act, 1894 (for short, "the Act"), State of Haryana sought to acquire land situated within the revenue estate of village Jandli, HB No. 113, village Kanwali, HB No. 111, village Sonda, HB No. 114 and village Sarai Mehdood, HB No. 112 for development and utilisation thereof as residential and industrial area for Sector 23, Ambala City. The same was followed by notification dated 27.2.2007, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award No. 4 dated 3.3.2009, assessed the market value of the acquired land of village Jandli @ ₹ 10,00,000/- per acre and @ ₹ 8,00,000/- per acre for the remaining three villages. Dissatisfied with the award of the Collector, the land owner filed objections. On reference under Section 18 of the Act, the learned court below vide award dated 29.8.2014, assessed the market value of the acquired land @ ₹ 2,950/- per square yard. This award has been impugned in the present appeal by the landowner.

Learned counsel for the appellant submitted that the claim made in the present appeal is squarely covered by the judgment of this Court in RFA No. 3120 of 2011 Harinder Kumar and another vs State of Haryana, decided on 15.10.2015, whereby the cases were remitted back for fresh consideration.

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

Accordingly, for the detailed reasons recorded in Harinder Kumar's case (supra), the present appeal stands disposed of in the same terms. Parties through their counsels are directed to appear before learned District Judge, Ambala on 15.2.2016.

20.11.2015

vs

(Rajesh Bindal)
Judge