

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

RFA No. 5206 of 2015 (O&M)

Date of decision :13.10.2015

State of Haryana and another

... Appellants

vs

Mahesh Pal (deceased) through LRs and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

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

Rajesh Bindal, J.

The State is in appeal seeking reduction of compensation awarded to the landowners for the acquired land. Along with the appeal, an application seeking condonation of delay of 442 days in filing thereof, has also been filed.

Briefly, the facts of the case are that State of Haryana vide notification dated 15.12.2004, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') sought to acquire land situated in village Jatauli, Tehsil and District Gurgaon for construction of new grain and vegetable market at Pataudi. The same was followed by notification dated 9.1.2006, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide his award dated 15.6.2007, assessed the market value of the acquired land @ ₹ 16,00,000/- 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, assessed the compensation for the acquired land @ ₹ 48,62,857/- per acre. The same has been impugned by the State before this Court.

Learned counsel for the State did not dispute the fact that the claim made in the present appeal is squarely covered by the judgment of this Court in RFA No. 5309 of 2011- Janki Devi and others v. State of Haryana

and others, decided on 22.9.2015, whereby, the appeals filed by the State against the award of the learned court below pertaining to same acquisition, were dismissed.

Accordingly, for the reasons recorded in Janki Devi's case (supra), the present appeal is dismissed. Consequently, the accompanying applications are also dismissed.

13.10.2015

sharmila

(Rajesh Bindal)
Judge