

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

R.F.A. No. 5596 of 2015 (O&M)

Date of decision : 15.10.2015

Nafe Singh

.... Appellant

vs

State of Haryana and others

.... Respondents

Coram : Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Dalel Singh Nain, Advocate, for the appellant.

Rajesh Bindal, J

The landowner has filed the present appeal seeking enhancement of compensation for the acquired land. Along with the appeal, applications, seeking condonation of delay of 950 days in re-filing and 1,119 days in filing thereof, have also been filed.

Briefly, the facts are that vide notification dated 9.8.2002, 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 Patti Kaisth Seth, Kaithal, Hadbast No. 24, Tehsil and District Kaithal, for the purpose of development and utilisation thereof as residential, commercial and institutional Sector-21 Kaithal. The same was followed by notification under Section 6 of the Act dated 8.8.2003. The Land Acquisition Collector (for short, "the Collector") vide his award dated 5.8.2005 assessed the market value of the acquired land @ ₹ 5,00,000/- per acre. Dissatisfied with the award of the Collector, the landowner filed objections. On reference under Section 18 of the Act, the learned court below determined fair market value of the acquired land @ ₹ 280/- per square yard. It is this award, which has been impugned before this court.

Learned counsel for the appellant very fairly conceded that the issue raised in the present appeal is squarely covered by the judgment

of this court in RFA No. 254 of 2008 – Parveen Kumari vs State of Haryana and others decided on 4.4.2011, whereby the market value of the acquired land assessed @ ₹ 280/- per square yard by the learned court below, was upheld.

Since the landowner in the present case has already been awarded compensation @ ₹ 280/- per square yard, no case for enhancement is made out. Hence, the appeal is dismissed. Consequently, all the applications are also dismissed.

15.10.2015
vs.

(Rajesh Bindal)
Judge