

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

RFA No. 5653 of 2015 (O&M)

LAC No. 13 of 2007

Date of decision : 19.10.2015

Yashpal (deceased) through LRs and others	.. Appellants
versus	
State of Haryana and others	.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Atul Gaur, Advocate for
 Mr. Sumeet Goel, Advocate, for the appellants.
 Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal, J.

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

Briefly, the facts are that vide notification dated 2.1.2002, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), the State of Haryana sought to acquire land situated in Karnal, Hadbast No. 1, Tehsil and District Karnal, for development and utilisation thereof as residential and commercial area in Sectors-9 Part, 32 and 33, Karnal. Notification under Section 6 of the Act was issued on 24.12.2002. The Land Acquisition Collector (for short, 'the Collector') vide award dated 21.12.2004 assessed the market value of the acquired land @ ₹ 4,00,000/- per acre. Dissatisfied with the award of the Collector, the landowners filed objections. On reference, the learned court below vide award dated 26.3.2013 determined the market value of the acquired land @ ₹ 439/- per square yard. This award has been impugned in the present appeal by the landowners.

Learned counsel for the landowners submitted that the issue involved in the present appeal is squarely covered by judgment of this court in RFA No. 3493 of 2009 Jagmal Singh and another vs State of Haryana and others, decided on 27.3.2014 and Hon'ble the Supreme Court in Civil

Appeal Nos. 3926-3940 of 2015 Balbir Singh @ Balbir and others vs State of Haryana and others, decided on 22.4.2015, whereby the compensation for the acquired land was further enhanced to ₹ 500/- per square yard.

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

Accordingly, for the detailed reasons recorded in the aforesaid judgments, the present appeal is disposed of in the same terms.

As the applications seeking permission to file appeal on behalf of deceased Ram Singh, Raj Kumar and Shamsheer Singh by their LRs are on the basis of Will, the same are allowed only for the purpose of representation of the aforesaid deceased before this Court. However, for disbursement of compensation, the landowners shall be required to prove before the Executing Court about their entitlement to receive the compensation as LRs of the aforesaid deceased.

19.10.2015
vs

(Rajesh Bindal)
Judge