

**CM No. 974-CI of 2015 in/and
RFA No. 6050 of 2014**

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IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

**CM No. 974-CI of 2015 in/and
RFA No. 6050 of 2014
Date of decision : January 30, 2015**

Smt. Raj Grover

..... Appellant

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Ashok Kumar Khubbar, Advocate
for the appellant.

1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

Amit Rawal, J (oral).
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This is an application under Section 151 CPC for disposing of the appeal in terms of RFA No. 5083 of 2009 .

Notice of the application be issued to the State of Haryana.

At the asking of the Court Mr. Abhinsh Jain, AAG., Haryana accepts notice on behalf of the State and does not dispute the fact that the controversy has already been adjudicated by this Court vide order dated 5.3.2014 as mentioned above.

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The application is allowed.

The appeal is taken on board.

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The subject matter of the acquisition of land situated in Village Garhi Mundo Tehsil Jagadhri District Yamuna Nagar is same as in the present appeal which was acquired for development and utilization of land Pocket as residential and commercial area for Sector 17 Part in Urban Estate, Jagadhri. In the instant appeal also the land has been acquired for the same purpose and is situated in the same Village. The land of the appellants was acquired vide notification under Section 4 issued on 28.1.2002. The Land Acquisition Collector vide his award dated 20.1.2005 assessed the market value of the land at ₹6 lacs per acre i.e. ₹124/- per square yard.

Being dissatisfied with the amount of compensation awarded by the Land Acquisition Collector, the land owners sought reference under Section 18 of the Act. The Reference Court vide judgment dated 25.7.2013 enhanced the compensation to ₹1560/- per square meter.

Learned counsel for the parties are ad idem that the matter in controversy involved in the present case is same as has already been decided by this Court as noticed above.

I have gone through the order dated 5.3.2014 of this Court passed in RFA No. 5083 of 2009 and is of the view that since the land of the appellant is also situated in the same Village

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therefore, the claimants in the present appeal are also entitled to the same amount of compensation as has been awarded in the aforementioned appeal i.e. at the rate of ₹2402.40 paise per square meter.

In view of the above discussion, the present appeal is also allowed. The impugned order of the Reference Court is set aside and the amount of compensation is enhanced to ₹2402.40 paise per square meter as has been awarded in the order *ibid*.

**(AMIT RAWAL)
JUDGE**

**January 30 , 2015
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