IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA No. 955 of 2015 (O&M)
Date of decision : 5.10.2015

Gurvinder Singh and others

... Appellants

vs

State of Haryana and others

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Vivek Khatri, Advocate, for the appellants.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal, J.

This order will dispose of two appeals bearing RFA No. 955 and 1574 of 2015, as common questions of law and facts are involved therein.

By filing the appeal, the landowners are seeking enhancement of compensation for the acquired land, whereas by filing appeal, the State is seeking reduction thereof.

Briefly, the facts of the case are that vide notification issued on 19.12.2002, under Section 4 of the Land Acquisition Act, 1894 (for short, `the Act'), State of Haryana sought to acquire land measuring 416.02 acres situated within the revenue estate of village Khairpur, Tehsil and District Sirsa, for commercial and residential Sectors 19 and 20 at Sirsa. Notification under Section 6 of the Act was issued on 18.12.2003 vide which 307.36 acres of land was notified for acquisition. The actual area was found to be 304.94 acres. The Land Acquisition Collector (for short, the Collector) vide his award dated 6.10.2005 assessed the compensation @ ₹ 6,00,000/- per acre. Dissatisfied with the award of the Collector, the land owners filed objections. On reference under Section 18 of the Act, the learned court below assessed the market value of the acquired land @ ₹

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525/- per square yard. This award has been impugned in the present appeals by the landowners as well as by the State.

Learned counsel for the appellants submitted that the claim made in the present set of appeals is squarely covered by the judgment of this Court in RFA No.5228 of 2011—Savinder Singh alias Surender Singh and another v. State of Haryana and others, decided on 2.9.2015, whereby, compensation for the land acquired vide same notification was assessed @₹ 612/- per square yard.

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

Accordingly, for the reasons recorded in Savinder Singh alias Surender Singh's case (supra), the appeal filed by the State is dismissed and the appeal filed by the landowners is disposed of in the same terms.

(Rajesh Bindal)
Judge

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