

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

CM No.15690-CI of 2014 and
RFA No. 9715 of 2014 (O&M)
Date of decision :15.9.2015

Prem Singh and others

... Appellants

vs

The State of Haryana and another

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Ram Bilas Gupta, Advocate, for the landowners.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal, J.

The landowners are in appeal seeking enhancement of compensation for the acquired land. Along with the appeal, application, seeking condonation of delay of 5,996 days in filing thereof, has also been filed.

Briefly, the facts of the case are that vide notification dated 7.9.1992, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), State of Haryana sought to acquire 486.61 acres of land, situated in village Mewla Maharajpur, Tehsil and District Faridabad for development and utilization thereof as residential, commercial and institutional Sectors 44 and 47 at Faridabad. The same was followed by notification dated 17.9.1993, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), assessed the market value of the acquired land @ ₹ 1,96,800/- 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, vide award dated 12.1.1998, assessed the market value of the acquired land @ ₹ 325/- per square yard. This award has been impugned by the landowners in the present appeal.

Learned counsel for the landowners very fairly submitted that the claim made in the present appeal is squarely covered by the judgment of Hon'ble the Supreme Court in Civil Appeal Nos.3279 -3287 of 2013-- Ashrafi and others v. State of Haryana and others, decided on 11.4.2013, whereby, compensation for the land acquired vide same notification was assessed @ ₹ 325/- per square yard.

As the learned reference court had already awarded compensation for the acquired land @ ₹ 325/- per square yard, no case for enhancement is made out. For the reasons recorded in Ashrafi's case (supra), the present appeal is dismissed. Consequently, the accompanying applications are also dismissed.

15.9.2015

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(Rajesh Bindal)
Judge