

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

RFA No. 9945 of 2014 (O&M)
Date of decision : 19.11.2015

Devinder Kaushal

... Appellants

VS

State of Haryana

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Mandeep Singh Kundu, Advocate for
Mr. J.S. Cooner, Advocate, for the appellant.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal, J.

By filing the appeal, the landowner is seeking enhancement of compensation awarded for the acquired land.

Briefly, the facts of the case are that vide notification dated 6.11.2003, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), State of Haryana sought to acquire land situated in the revenue estate of village Sonda, Hadbast No. 114, Tehsil and District Ambala for development and utilization thereof as public utilities area for Sector 10 (Pocket), Ambala City. The same was followed by notification dated 15.7.2004, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector') vide award No. 1 dated 26.4.2006, assessed the market value of the acquired land @ ₹ 8,00,000/- 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 vide award dated 17.9.2013 assessed the market value of the acquired land @ ₹ 512/- per square yard. The same has been impugned by the landowner before this Court.

Learned counsel for the parties are agreed that the issues raised in the present appeal are squarely covered by the judgment of this Court in RFA No.3120 of 2011—Harinder Kumar and another v. State of Haryana, decided on 15.10.2015, whereby the matter has been remanded back to the learned Reference Court for decision afresh.

Accordingly, for the reasons recorded in Harinder Kumar's case (supra), the present appeal is also disposed of in the same terms.

Parties through their counsels are directed to appear before learned District Judge, Ambala on 15.2.2016.

(Rajesh Bindal)
Judge

19.11.2015

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