

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

RFA No. 9947 of 2014 (O&M)

Date of decision : 19.11.2015

The State of Haryana and another

... Appellants

vs

Om Parkash and another

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Mr. Kul Bhushan Sharma, Advocate,
Mr. Rohit Rana, Advocate for
Mr. Kunal Dawar, Advocate and
Mr. Chirag Kundu, Advocate, for the landowners.

Rajesh Bindal, J.

This order will dispose of a bunch of appeals bearing RFA Nos. 9947 to 10016 of 2014 and cross-objections No.42-CI of 2015, as common questions of law and facts are involved therein.

The State is in appeal seeking reduction in the amount of compensation awarded to the landowners for the acquired land, whereas by filing cross-objections, the landowners are seeking enhancement thereof.

Briefly, the facts of the case are that State of Haryana vide notification dated 14.8.2008, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') sought to acquire land situated in village Kherikala, Tehsil and District Faridabad for development and utilization thereof for Master Plan Roads of Sectors 75 to 89, Faridabad. The same was followed by notification dated 30.8.2008, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide his award dated 27.8.2010, assessed the market value of the acquired land @ ₹ 42,00,000/- per acre. Aggrieved against the awards of the Collector, the landowners filed objections which were referred to the learned court below,

who keeping in view the material placed on record by the parties, assessed the compensation for the acquired land @ ₹ 1,118/- per square yard. The same has been impugned by the parties before this Court.

Learned counsel for the landowners submitted that the claim made in the present set of appeals and cross-objections is squarely covered by the judgment of this Court in RFA No. 7108 of 2012- Rampal and others v. Land Acquisition Collector and another, decided on 16.9.2015, whereby, compensation for the land acquired vide notification dated 14.8.2008 was further enhanced.

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

Since this Court had already enhanced compensation for the land acquired vide same notification, nothing survives in the present appeals filed by the State. Accordingly, for the reasons recorded in Rampal's case (supra), the present appeals are dismissed. Consequently, the accompanying applications are also dismissed. The cross-objections filed by the landowners are disposed of in the same terms.

19.11.2015

sharmila

(Rajesh Bindal)

Judge