

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

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RFA No.1027 of 2016

Date of Decision:15.07.2016

Bhag Chand and others

....appellants

Versus

Haryana State and others

.....respondents

RFA No.1028 of 2016

Pirithi Singh and others

....appellants

Versus

Haryana State and others

.....respondents

RFA No.1029 of 2016

Kali Ram and another

....appellants

Versus

Haryana State and others

.....respondents

RFA No.1030 of 2016

Amar Singh and others

....appellants

Versus

Haryana State and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Harish Nain, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

Facts that are required to be noticed are limited.

Pursuant to two separate notifications issued by the State

Government under Section 4 of the Land Acquisition Act, 1894 (for short

'the Act'), land situated in village Litani, Tehsil and District Hisar, as also in

village Sainthly, Tehsil Narwana, District Jind, was acquired for a common public purpose i.e. construction of “Surbara Link Channel”. As regards the land situated in village Sainthly, the Land Acquisition Collector (for short, 'the Collector') vide Award dated 29.12.2009, assessed the market value of the acquired land at ₹ 8 lakhs per acre. The Reference Court enhanced the compensation to ₹ 10 lakhs per acre. And, in the appeals preferred by the landowners (RFA Nos.2586 to 2588 of 2013), this Court, vide order and judgement dated 14.11.2013 in the case of “Sampuran Singh and others vs. State of Haryana”, had further enhanced the compensation to ₹ 10,94,000/- per acre. Likewise, in the matters pertaining to village Litani, Tehsil and District Hisar, the Collector, vide Award, dated 23.12.2009, awarded the same compensation i.e. ₹ 8 lakhs per acre, which was enhanced by the Reference Court to ₹ 10 lakhs per acre, along with other statutory benefits. That is how, land owners, in appeals pertaining to village Litani, are before this Court.

Learned counsel for the appellants submits that the matter in issue is virtually covered by the decision of this Court in the case of Sampuran Singh (Supra) and thus, these appeals be disposed of in terms thereof.

Notice of motion.

On the asking of the Court, Mr. Shivendra Swaroop, AAG Haryana, present in the Court accepts notice on behalf of the respondents.

Learned State counsel does not dispute the factual position as set out above.

I have heard learned counsel for the parties and perused the

records.

Concededly, the purpose of acquisition vis-a-vis both the villages i.e. Sainthly and Litani was/ is common. So much so, even the notifications issued under Section 4 of the Act, as regards the village Sainthly dated 13.05.2009 and village Litani dated 26.05.2009, were also issued, almost, at the same time. The Collector, as also the Reference Court had awarded the same compensation to the landowners in both the acquisition proceedings. Nothing could be pointed out by the learned State counsel as to how and why appellants too shall not be entitled to the same compensation, this Court had awarded vide its judgment dated 14.11.2013, referred to above, which, indisputably, has attained finality.

In conspectus of the position sketched out above, these appeals are disposed of in terms of the order dated 14.11.2013, rendered by this Court in RFA No.2586 of 2013, in the case of Sampuran Singh (supra) that is, appellants shall be entitled to compensation @ ₹ 10,94,000/- per acre, with all the statutory benefits, admissible in law. However, for, concededly, no claim for severance was made by the landowners, and no such issue is raised during the hearing before this Court, the appellants/landowners shall not be entitled to any compensation on that account.

15.07.2016

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(ARUN PALLI)
JUDGE