

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

R.F.A. No. 3818 of 2014 (O&M)

Date of decision: October , 2015

Gram Panchayat, village Rasoi

.. Appellant

v.

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr.

Rajesh Bindal J.

1. This order will dispose of a bunch of appeals bearing RFA Nos. 3818, 3819, 8375 and 8476 of 2014.

In the appeals filed by the landowners, they are seeking further enhancement of compensation for the acquired land awarded by the learned court below, whereas in the appeals filed by State of Haryana, the prayer is for reduction thereof.

Briefly, the facts of the case are that vide notification dated 16.11.2005, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), State of Haryana sought to acquire 5 kanals and 3 marlas of land, situated in revenue estate of Rasoi, Tehsil and District Sonapat for construction of road between Sectors 61 and 62, Sonapat. The same was followed by notification dated 15.6.2006 issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award No. 23 dated 18.3.2008, assessed the market value of the acquired land @ 16,00,000/- 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 @ 32,00,000/- per

acre.

Learned counsel for the landowners submitted that for the purpose of assessment of compensation for the acquired land, the Reference Court had placed reliance upon its award pertaining to acquisition of land for development as Rajiv Gandhi Education City, pertaining to different villages, where notification under Section 4 of the Act was issued on 17.11.2005. Appeal against the aforesaid acquisition dated 22.6.2006 is pending in this court. The submission is that the landowners in the present case also deserve to be allowed the same amount of compensation, as granted for acquisition carried out vide notification dated 22.6.2006. The land in question is adjoining to the land acquired for Rajiv Gandhi Education City.

On the other hand, learned counsel for the respondents did not dispute the award pertaining to acquisition for development as Rajiv Gandhi Education City is relevant for the purpose of assessment of compensation in the present case. He also did not dispute the fact that appeal against the acquisition dated 17.11.2005 is pending in this court and that award is relevant for the purpose of assessment of compensation in the present case.