

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

RFA No.4725 of 2013 (O&M)

Date of decision: 3.2.2017

Haryana State Industrial & Infrastructure Development Corporation Limited

..... Appellant

Versus

Badan Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: None for the appellant.

None for the landowner.

Ms. Palika Monga, Deputy Advocate General, Haryana.

RAJESH BINDAL, J

The Haryana State Industrial & Infrastructure Development Corporation Limited (for short 'the Corporation') is in appeal before this court against the award of the learned court below seeking reduction of compensation awarded to the landowner for the acquired land.

Briefly, the facts of the case are that vide notification dated 11.1.2005 issued under Section 4 of the Land Acquisition Act, 1894 (for short "the Act"), the State of Haryana sought to acquire land situated in the revenue estate of village Mokalwas, Sub Tehsil Farrukh Nagar, Tehsil and District Gurgaon, for construction and development of Express Highway Phase-VII connecting National Highway No.1, 10, 8 and 2. The same was followed by notification dated 31.5.2005, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award dated 10.5.2006 assessed the market value of the acquired land @ ₹ 12,50,000/- per acre. Dissatisfied with the award of the Collector, the landowner filed

objections. On reference, the learned court below vide award dated 12.10.2012 assessed the market value of the acquired land @ ₹ 43,17,841/- per acre. The same has been impugned by the Corporation before this Court.

Learned counsel for the State submitted that claim made in the present appeal is squarely covered by the judgment of this Court in R.F.A. No. 1853 of 2012 - Attar Singh vs. State of Haryana and others, decided on 5.2.2016 whereby, compensation for the land acquired vide same notification in the same village was enhanced to ₹ 62,11,700/- per acre.

Since this Court had further enhanced the compensation for the land acquired vide same notification in Attar Singh's case (supra), the claim of the Corporation for reduction does not survive. Accordingly, for the reasons recorded in Attar Singh's case (supra), the appeal filed by the Corporation is dismissed.

(RAJESH BINDAL)
JUDGE

3.2.2017
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Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No