

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

CM Nos.12958 & 13371 CI of 2017; and
RFA No.3773 of 2014(O&M)
Date of decision: 15.12.2017

Ashok Kumar and another

... Appellants

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Gopal Soni, Advocate for
Mr. Akshay Jindal, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-13371-CI-2017

For the reasons set out in the application, the same is allowed.

Copy of the award dated 17.12.2013 is taken on record.

**CM-12958-CI-2017; and
RFA-3773-2014**

Learned counsel for the applicant-appellants submits that the matter in issue is squarely covered by an order and judgment, dated 27.10.2017, rendered by the Supreme Court in Civil Appeal No.2846 of 2017 [**Bijender and others v. State of Haryana and another**] and other connected matters. He submits that the Land Acquisition Collector had assessed the value of the acquired land upto the depth of 2 acres from the road @ ₹ 33,00,000/- per acre and the land that was situated beyond 2 acres have evaluated @ ₹ 18,00,000/- per acre. However, the claims of the landowners under Section 18 of the Land Acquisition Act were dismissed by the Reference Court as the compensation awarded by the Collector was affirmed. But, it is urged that in the appeals preferred by the claimant-landowners against the award rendered by the Reference Court, this Court, vide order and judgment dated 22.12.2015, rendered in RFA No.1515 of 2014 [**Harijan Co-operative Society Ltd. Vs. State of Haryana and**

another] and other connected matters, though maintained the assessment as regards the land abutting the road upto the depth of 2 acres @ ₹ 33,00,000/- per acre but the compensation as regards the land situated beyond 2 acres was enhanced to ₹ 24,75,000/- per acre. Further, in the appeals preferred against the decision of this Court, the Supreme Court vide its order and judgment in the case of Bijender and others (supra) had further enhanced the compensation assessing the land upto the depth of 2 acres from the main road @ ₹ 45,00,000/- per acre and the land situated beyond 2 acres @ ₹ 35,00,000/- per acre. Thus, he submits that this appeal too is required to be disposed of in terms of the decision of the Supreme Court referred to above.

Notice.

Ms. Safia Gupta, AAG, Haryana, present in court, accepts notice on behalf of the respondents.

The factual position, as set out above, is not disputed by learned State counsel.

I have heard learned counsel for the parties and perused the record.

Accordingly, the present appeal is disposed of in terms of the decision of the Supreme Court in Bijender's case (supra).

15.12.2017
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO