

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

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RFA No.1869 of 2017(O & M)

Date of Decision:04.09.2017

Satish Kumar and others

....appellants

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Akshay Kumar Jindal, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

Claimants are in appeal against the award dated 18.10.2016, rendered by the reference Court. Vide notification under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), dated 01.01.2010, a land situated in village Dadlana, was sought to be acquired for development of industrial estate by Haryana State Industrial and Infrastructure Development Corporation (for short, 'HSIIDC'). Final declaration under Section 6 of the Act was published on 17.12.2010. The Land Acquisition Collector (for short, 'Collector'), vide award No.9, dated 14.01.2013, had assessed the market value of the acquired land at ₹ 16,00,000/- per acre. Being dissatisfied with the assessment as also the compensation awarded by the Collector, the claimants filed objections under Section 18 of the Act. And the reference Court, vide impugned award, enhanced the compensation awarded to the claimant-landowners to ₹ 1392/- per sq.yards. This is how, as indicated above, the claimants are before this Court.

Ex facie, the reference court had relied upon a decision dated 03.03.2016 of this Court rendered in **RFA No.4694 of 2014** (Ex.PW2/7),

titled “Tara Chand and others vs. State of Haryana and others”, vide which, this Court had assessed the value of the land situated in the same revenue estate i.e. village Dadlana, @ ₹ 904/- per sq.yard. But, since the notification under Section 4, in those proceedings was issued on 30.06.2005 and in the present appeal on 01.01.2010, for the time difference between the two notifications i.e.54 months, the annual increase @ 12% per annum was granted. Accordingly, the appellants were awarded compensation @ ₹ 1392/- per sq.yard. The claimants were also granted all the statutory benefits as admissible in law.

On being pointedly asked, learned counsel for the appellants could not show as to how the conclusion arrived at by the reference Court was either contrary to the record or suffered from any material illegality. Nothing could be shown that could entitle the claimants for any further enhancement either. That being so, the only and the inevitable conclusion that could be reached; the appeal is devoid of merit and is accordingly dismissed, for, no further enhancement is feasible.

CM-4745-CI-2017

This is an application seeking condonation of delay of 15 days in filing the accompanying appeal.

For, the appeal itself has been heard and decided on merits, no formal order is required to be passed in this application and the same is accordingly disposed of.

September 04, 2017

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JUDGEWhether speaking/reasoned
Whether reportable-Yes/No.
Yes/No