

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RFA No.3905 of 2017 (O&M)
Date of Decision : 05.12.2017.

Raj Singh

.....Appellant

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Suresh Ahlawat, Advocate for the appellant.

ARUN PALLI, J. (Oral)

CM-9415-CI-2017

For the reasons set out in the application, the delay of 82 days that has occurred in re-filing the accompanying appeal is condoned.

C.M. disposed of.

RFA No. 3905 of 2017

Learned counsel for the appellant submits that the matter in issue is squarely covered by the judgment, dated 27.10.2017, rendered by the Supreme Court in Civil Appeal No.2846 of 2017 (Bijender and others Vs. State of Haryana and another) and other connected matters. He submits that the Land Acquisition Collector had assessed the value of the acquired land, up to the depth of 2 acres from the road @ Rs.33,00,000/- per acre and the land that was situated beyond 2 acres was evaluated at Rs.18,00,000/- per acre. However, the claims of the landowners under Section 18 of the

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 butting the road up to the depth of 2 acres @ Rs.33,00,000/- per acre but the compensation as regards the land situated beyond 2 acres was enhanced from Rs.18,00,000/- per acre to Rs.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 referring the land up to the depth of 2 acres from the main road to Rs.45,00,000/- per acre and the land situated beyond 2 acres was assessed at Rs.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 counsel for the respondents.

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

That being so, the appeal is disposed of in terms of the decision

of the decision of the Supreme Court in the case of **Bijender and others (supra)**.

05.12.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No