

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

RFA No. 4508 of 2017 (O&M)
Date of Decision: 21.12.2017

Mahender Signh and others

...Appellants

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Vijay Singh, Advocate
for the appellants.

ARUN PALLI, J. (ORAL)

CM No. 11163-CI-2017

This is an application seeking condonation of delay of 174 days
in filing the accompanying appeal.

Notice of the application.

On the asking of the Court, Mr. Shivendra Swaroop, AAG,
Haryana, present in the Court, accepts notice on behalf of the respondents.

For the reasons set out in the application, which is duly
supported by an affidavit, the same is allowed. Consequently, the delay of
174 days in filing the accompanying appeal is condoned.

Civil miscellaneous application stands disposed of.

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Allowed as prayed for.

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Learned counsel for the appellant submits that the matter in
issue is squarely covered by the judgment, dated 27.10.2017, rendered by

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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 @ ₹33,00,000/- per acre and the land that was situated beyond 2 acres was evaluated at ₹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 @ ₹33,00,000/- per acre but the compensation as regards the land situated beyond 2 acres was enhanced from ₹18,00,000/- per acre 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 regarding the land up to the depth of 2 acres from the main road to ₹45,00,000/- per acre and the land situated beyond 2 acres was assessed at ₹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.

Mr. Shivendra Swaroop, AAG, Haryana, present in Court, accepts notice on behalf of the respondents.

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

21.12.2017
AK Sharma

(ARUN PALLI)
JUDGE

Whether Speaking/Reasoned:
Whether Reportable:

YES / NO
YES / NO