IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA No.2417 of 2011 (O&M)
Date of Decision: 09.03.2018

Haryana State Industrial & Infrastructure Development Corporation Ltd.

.... Appellant(s).

Versus

Chhatar Singh and others

....Respondent(s).

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA.

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Present: Mr.A.K.Chopra, Senior Advocate with
Mr.G.S.Bhandol, Advocate and
Mr.Pritam Singh Saini, Advocate for Haryana State Industrial and Infrastructure Development Corporation Ltd.

Mr.Shailendra Jain, Senior Advocate with
Mr.Satyendra Chauhan, Advocate,
Mr.Pawan Kumar, Senior Advocate with
Mr.Rozer Kumar Aggarwal, Advocate,
Ms.Manisha Gandhi, Senior Advocate with
Mr.Ashwani Gaur, Advocate
Mr.G.C.Shahpuri, Advocate
Mr.Ranjit Saini, Advocate,
Mr.Sandeep Sharma, Advocate,
Mr.P.R.Yadav, Advocate,
Mr.Nitin Jain, Advocate,
Mr.Gaurav Aggarwal, Advocate
for the land owners.

Mr.Sudeep Mahajan, Addl. Advocate General, Haryana,
for State as well as for Haryana State Industrial and Infrastructure Development Corporation Ltd.

Ms.Safia Gupta, Assistant Advocate General, Haryana.

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G.S.SANDHAWALIA, J.

The appeal is dismissed, in view of the detailed judgment of even date passed in **RFA No.2373 of 2010 'Madan Pal (III) Vs. State of Haryana and another'.** The relevant part of the judgment reads as under:-

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"140. Accordingly, the appeals filed by the HSIIDC seeking reduction in the compensation and of MSIL are dismissed and those of the land owners alongwith cross-objections are allowed.

(i) The market value of the land falling in five village i.e. Naharpur Kasan, Kasan, Bas Huria, Bas Khusla and Dhana is assessed @ Rs.41.40 lakhs per acre alongwith all statutory benefits.

(ii) The market value of land in village Manesar is assessed @ Rs.62.10 lakhs per acre alongwith all statutory benefits.

(iii) The appellant-M/s Kohli Holdings Private Limited in RFA No.4646 of 2010 would be entitled for compensation Rs.62.10 lakhs per acre, on account of it being given benefit of 50% of locational advantage being situated on the highway and in village Manesar apart from that it would be entitled for 30% more compensation on account of severance charges on the abovesaid market value alongwith all statutory benefits.

(iv) The directions of the Apex Court in the case of Pran Sukh will also be adhered to while disbursing the balance amount of compensation.

(v) Where appeals have been filed by the land owners which were beyond period of limitation and applications have been filed for condoning the delay with a condition that the land owners will not be entitled for the interest during the said period, the Executing Court shall ensure that the amounts are calculated and disbursed, keeping in the view the said condition which has been passed in the case of each and individual land owner.

(vi) The appeals filed by the MSIL are dismissed on account of non-maintainability and in view of the observations of the Apex Court in the case of ***Satish Kumar Gupta (supra)*** *being a post notification allottee."*

(G.S.SANDHAWALIA)
JUDGE

March 09, 2018
raman

Whether speaking/reasoned Yes/No
Whether reportable Yes/No

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