IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA No.826 of 2010 (O&M)
Date of Decision: 13.12.2018

Mam Raj and others .... Appellant(s)

Versus

State of Haryana and others ....Respondent(s)

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

Present : Mr. Shoaib Khan, Advocate
Mr. M.K. Chouhan, Advocate
Mr. K.S. Khehar, Advocate
Mr. DPS Ahluwalia, Advocate
Mr. Neeraj Saini, Advocate
Mr. S.R. Hooda, Advocate
Mr. S.K. Sharma, Advocate for
Mr. M.L. Sharma, Advocate and
Ms. Bhavni Sood, Advocate for
Mr. Aditya Jain, Advocate for the landowners.

Mr. Sudeep Mahajan, Addl. AG, Haryana.
Ms. Vibha Tewari, AAG, Haryana.
Mr. Abhinash Jain, AAG, Haryana.

G.S. Sandhawalia, J.

The appeal is allowed, in view of the detailed judgment of even date passed in **RFA No.1935 of 2009 'Kali Charan Vs. State of Haryana and another'.** The operative part in relief clause of the judgment reads as under:

"69. ***Relief:***

(i) Resultantly, the appeals of the State pertaining to the first notification of village Chowki dated 26.06.1998 are dismissed and those of landowners are allowed and the market value is worked out @ Rs.943.20 per square yard (Rs.45,65,088/- per acre) alongwith all statutory benefits.

(ii) For the notification dated 27.03.2001 for the land acquired in village Nada the appeals filed by the State are dismissed and those of landowners are allowed. The amount is assessed @ Rs.1,290/- per square yard (Rs.62,43,600/- per acre) alongwith all statutory benefits.

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(iii) For the notification dated 08.12.2003 and 21.01.2004 the appeals filed by the landowners are allowed and those of State are dismissed. The market value is assessed @ Rs.1403.27 per square yard (Rs.67,91,826.80 per acre) alongwith all statutory benefits.

(iv) The State shall also comply with the directions laid down by the Apex Court in ***'HSIIDC Vs. Pran Sukh' (2010) 11 SCC 175****, to ensure that the landowners are not fleeced by the middleman, which read as under:*

(a) The Land Acquisition Collector shall depute officers subordinate to him not below the rank of Naib Tahsildar, who shall get in touch with all the land owners and/or their legal representatives and inform them about their entitlement and right to receive enhanced compensation.

(b) The concerned officers shall also instruct the land owners and/or their legal representatives to open savings bank account in case they already do not have such account.

(c) The bank account numbers of the land owners should be given to the Land Acquisition Collector within three months.

(d) The Land Acquisition Collector shall deposit the cheques of compensation in the bank accounts of the land owners.

(v) The entitlement of the landowners would be to the amounts awarded above along with statutory benefits. The State would also be entitled to make adjustment of the amounts which have already been paid during the litigation."

(G.S. SANDHAWALIA)
JUDGE

DECEMBER 13, 2018
pvd

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No

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