

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

**RFA No.4818 of 2011 (O&M)**

**Date of Decision: 09.03.2018**

Des Raj and others.

.... Appellant(s).

Versus

Haryana State through the Collector, District, Gurgaon and others .

....Respondent(s).

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

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Present: Mr.Shailendra Jain, Senior Advocate with  
Mr.Satyendra Chauhan, Advocate,  
Mr.Pawan Kumar, Senior Advocate with  
Mr.Rozar 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.

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.

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**G.S.SANDHAWALIA, J.**

The appeal is allowed, 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:-

*“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.”*

**March 09, 2018**  
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**(G.S.SANDHAWALIA)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No