

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

**RFA No.3834 of 2013 (O&M)
Date of Decision:25.05.2018.**

Kehar Singh (deceased) through his LRs and others.

.... Appellant(s).

Versus

State of Haryana and others.

....Respondent(s).

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

Present: Mr. Shailendra Jain, Senior Advocate with
Mr. Satyendra Chauhan, Advocate,
Mr. Shakti Kaushik, Advocate for
Mr. Vinod S. Bhardwaj, Advocate,
Mr. Pradeep Chhoker, Advocate for
Mr. P.R. Yadav, Advocate,
Mr. Virendra Rana, Advocate,
Mr. Sudhir Aggarwal, Advocate,
Mr. Sushil K. Sharma, Advocate for
Mr. M.L. Sharma, Advocate,
Mr. Amit Rohilla, Advocate for
Mr. Saurabh Arora, Advocate
Mr.Prikshit Yadav, Advocate for
Mr.Jaivir Yadav, Advocate,
Mr.Satish Singla, Advocate for
Mr.Vishal Garg, Advocate,
Mr.Abhimanyu Kalsi, Advocate for
Mr.Rakesh Dhiman, Advocate and
Mr.Sanjay Vij, Advocate
for the land owners.

Mr.Sudeep Mahajan, Addl. Advocate General, Haryana,
for State as well as for HSIIDC
Ms.Safia Gupta, Assistant Advocate General, Haryana.

Mr. Pritam Singh Saini, Advocate for the HSIIDC.

G.S.SANDHAWALIA, J.

CM No.12930-CI of 2017

Application has been filed for bringing on record legal
representatives of deceased appellant Kehar Singh who expired during

the pendency of the proceedings on 17.08.2017. The legal representatives of the deceased appellants are mentioned in para No.2 of the application and it has been averred that there is no other legal heir of the said respondent. The application, duly supported by affidavit of Subey Singh son of Kehar Singh is allowed and the legal heirs of aforesaid deceased appellant are brought on record, subject to all just exceptions. It is made clear that this order shall not be liable to be taken into consideration in any other set of proceedings. Amended memo of parties is taken on record. Office to tag the same at appropriate place.

CM stands disposed of.

Main case

The appeal is dismissed, in view of the detailed judgment of even date passed in **RFA No.3381 of 2013 'HSIDC Now HSIIDC Vs. Roshan Lal and others'**. The relevant part of the judgment reads as under:-

“79. Resultantly, the appeals of the HSIIDC are allowed, whereas the appeals of the landowners for further enhancement and cross-objections for enhancement which are filed are dismissed and the awards passed by the Reference Courts are, accordingly, modified.

(i) The market value of the land falling in two villages, namely, Naurangpur and Lakhnoula is assessed @ Rs.48,46,000/- per acre alongwith all statutory benefits, on 17.09.2004.

(ii) For the land falling in villages Nawada Fatehpur, Naharpur Kasan and Shikhopur, the market value is fixed @ Rs.43,61,400/- per acre alongwith all statutory benefits, on 17.09.2004.

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

(iv) 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 individual land owner.

May 25, 2018
raman

(G.S.SANDHAWALIA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No