

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

**RFA No.4363 of 2015 & other connected
appeals
Decided on : 30.05.2018**

Gurjeet Kaur

... Appellant

Versus

State of Haryana and others

... Respondents

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

Present : Mr. Rahul Vats, Advocate
for the appellant.

Ms. Safia Gupta, AAG, Haryana.

G.S. Sandhawalia, J. (Oral)

The present order shall dispose of six appeals i.e. **RFA Nos.4363 to 4365 of 2015** filed by the landowners **and RFA Nos.1203 to 1205 of 2017** by the State, which are filed against the Award of the Reference Court, Gurgaon dated 16.03.2015.

The Reference Court vide the said Award enhanced compensation to ₹1,84,00,000/- per acre for the land falling in village Choma, Tehsil and District Gurgaon, notification of which was issued on 25.01.2008 under Section 4 of the Land Acquisition Act, 1894 (for short 'the Act'). The same was for the public purpose for development and utilization of land for 150 meter wide periphery road linking Dwarka Township Delhi from Haryana Boundary to National Highway No.8 near village Kherki Daula at Gurgaon.

It is not disputed that this Court in **RFA No.4475 of 2012** '**Ram Chander and another Vs. State of Haryana and others**' & other

connected appeals decided on 20.05.2016, while dealing with the said acquisition, had enhanced compensation to ₹4,78,05,588/- per acre for the said village.

In Civil Appeal Nos.11814-11864 of 2017 'State of Haryana and others Vs. Ram Chander and another' decided on 05.09.2017, the Apex Court had modified the said judgment and given a 15% cut on the amount determined. The relevant part of the said order reads as under:-

“10. In our opinion, the deduction of 15% towards development would have been sufficient, which ought to have been made in the instant cases, in the peculiar facts of the case, considering the potentiality of the area in question and the development which has taken place all around. This order not to be treated as a precedent in any other case. Thus, we modify the determination made by the High Court to the above extent only. Let deduction be made accordingly.”

The amount as such for the village Choma, thus, works out at ₹4,06,34,750/- alongwith all statutory benefits.

Accordingly, keeping in view the above, the appeals filed by the landowners are allowed, whereas the appeals filed by the State are dismissed.

MAY 30, 2018
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No