

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

**RFA No.4595 of 2016 & other
connected appeals**

Reserved on: 26.04.2018

Decided on : 30.05.2018

HSIDC Now HSIIDC

... Appellant

Versus

Satpal and others

... Respondents

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

Present : Mr. Pritam Singh Saini, Advocate
for the appellant.

Mr. Shailendra Jain, Senior Advocate with
Mr. Satyendra Chauhan, Advocate
for respondents No.1 to 4.

G.S. Sandhawalia, J.

The present order shall dispose of three appeals i.e. **RFA Nos.4595, 4596 and 4599 of 2016**, which arise out of the Award dated 28.05.2015 passed by the Reference Court, Gurgaon, whereby the landowners of Village Naharpur Kasan were held entitled to compensation @ ₹50,43,315/- per acre in petition filed under Section 28-A (3) of the Land Acquisition Act, 1894 (for short 'the Act'). The notification under Section 4 of the Act was issued on 17.09.2004 and the said amount has been awarded on the strength of the Award passed on 24.12.2012 (Ex.P1/1), whereby the Reference Court had enhanced the compensation from ₹12,50,000/- per acre to ₹50,43,315/- per acre. Resultantly, the said benefit has been granted.

The Award dated 24.12.2012 was subject matter of appeal in

connected matters bearing **RFA No.3381 of 2013 'HSIDC Now HSIIDC Vs. Roshan Lal and others'** and other connected appeals and the same have been allowed by this Court on 25.05.2018 in the following terms:-

“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 @ ₹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 @ ₹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.”

Accordingly, the present appeal is also disposed on the same terms by modifying the impugned award by awarding compensation @ ₹43,61,400/- per acre alongwith all statutory benefits.

MAY 30, 2018

Naveen

Whether speaking/reasoned:

Whether Reportable:

**(G.S. SANDHAWALIA)
JUDGE**

Yes/No

Yes/No