

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

(1) **CM-1312-CI-2012**
CM-12273-CI-2013
RA-RF-15-CI-2012 in RFA-3292-1999

M/s Raj Garish Oil MillsReview/appellant
Versus
State of Haryana & others ...Respondents

(2) **CM-679-CI-2012**
CM-14724-CI-2011
RA-RF-5-CI-2012 in RFA-3293-1999

M/s Raj Garish Oil MillsReview/appellant
Versus
State of Haryana & others ...Respondents

Date of decision: 25.04.2018

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

Present: Mr.Sandeep Kotla, Advocate, for the review/appellants.

Mr.Abhinash Jain, AAG, Haryana.

G.S. SANDHAWALIA, J. (Oral)

CM-1312-CI-2012 in RFA-3292-1999
CM-679-CI-2012 in RFA-3293-1999

Applications for condoning the delay of 103 & 67 days, respectively, in filing the present review applications, are allowed, in view of the averments made in the applications, duly supported by an affidavit.

CMs stand disposed of.

CM-12273-CI-2013 in/and RA-RF-15-CI-2012 in RFA-3292-1999
CM-14724-CI-2011 in/and RA-RF-5-CI-2012 in RFA-3293-1999

The present order shall dispose of the present two review applications, directed against the order dated 14.10.2011, whereby the two appeals were disposed of in the same terms as in RFA-2436-1999 titled *Atam Parkash Vs. Haryana State & others*, in the presence of counsel for the appellants.

It was noted, at that point of time, that for the same notification dated 19.05.1992, issued under Section 4 of the Land Acquisition Act, 1894, award was passed by the Reference Court on 25.02.1999 and the appeals had been decided by this Court on an earlier occasion on

***CM-1312-CI-2012, CM-12273-CI-2013, RA-RF-15-CI-2012 in RFA-3292-1999 &
CM-679-CI-2012, CM-14724-CI-2011, RA-RF-5-CI-2012 in RFA-3293-1999***

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14.10.1999 in *Atam Parkash's case* (supra). It is pertinent to notice that this Court had dismissed the appeals filed by the State and allowed the appeal filed by the landowners, to a restricted extent, as much as compensation to landowners of Villages Satrod Khurd and Satrod Khas was enhanced vide judgment passed on 14.10.1999 in *Atam Parkash's case* (supra).

Counsel for the appellants himself, at an earlier stage, had held out that the matters are covered and the present appeals had been disposed of in the same terms.

The review applications have, now, been filed by the appellants for review of the said order. It is also to be noticed that against the judgment of the Learned Single Judge dated 14.10.1999 in *Atam Parkash's case* (supra), State had chosen to file LPA-1535, 1537 to 1565 and 1827-2001. The same were dismissed on 30.08.2001. The matter did not stop there and the State preferred the appeal to the Apex Court in cases bearing CA-5023-5053-2003, which were dismissed vide order dated 08.07.2003. Another bunch of cases, filed by the other landowners, the lead case bearing CA-3262-2007 titled as *Raj Kumar & others Vs. Haryana State & others*, were dismissed on 27.08.2007, by passing a speaking order and rejecting the claim for further enhancement.

In such circumstances, once the matter had been upheld till the Apex Court qua the amount granted by the Reference Court and duly modified on 14.09.1999 to the restricted extent, no ground is made out to review the order dated 14.10.2011 and the review applications are accordingly dismissed.

25.04.2018
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No