

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

**RFA No.6619 of 2014 (O&M)
Date of Decision:25.05.2018.**

Virender Kumar 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.10413-CI of 2013

Application has been filed on behalf of appellant Nos.4 to 10
and 12 to 14 seeking leave to file the instant appeal being legal

representatives of deceased namely Saravan Devi, Sao Ram and Sada Ram who were petitioners No.4, 8 and 10 respectively before Reference Court and have expired during the pendency of the proceedings on 09.12.2008, 16.01.2012 and 26.11.2007 respectively. The legal representatives of the deceased petitioners are mentioned in para No.2, 3 and 4 of the application and it has been averred that there is no other legal heir of the said deceased. The application, duly supported by affidavit of Jai Parkash son of Juglal is allowed and the legal heirs of aforesaid deceased appellants 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.

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 Lakhnoul 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	Yes/No
Whether reportable	Yes/No