

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

**RFA No.3228 of 2018
Decided on : 14.11.2018**

Kailash Kumar

... Appellant

Versus

The State of Haryana and others

... Respondents

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

Present : Mr. Rajnitkant Upadhyay, Advocate
for the appellant.

Ms. Vibha Tewari, AAG, Haryana
for respondents No.1 and 2.

Mr. Pritam Singh Saini, Advocate
for respondent No.3.

G.S. Sandhawalia, J. (Oral)

The present appeal filed under Section 54 of the Land Acquisition Act, 1894 (for short 'the Act') arises of the Award of the Reference Court, Sonapat dated 09.02.2018, whereby the market value was enhanced from ₹16 lakhs per acre to ₹27,70,000/- per acre for the notification dated 01.04.2008. It is pointed out in **RFA No.6207 of 2012 'Piryavert and another Vs. Haryana Government and others'** decided on 03.11.2015 (Annexure A-1), the market value for the abovesaid notification was fixed @ ₹42,60,000/- per acre.

Counsel for the State also pointed out that the Apex Court in **Civil Appeal No.16197 of 2017 'Braham Dev and another Vs. State of Haryana and others'** decided on 04.10.2017, the market value was enhanced and fixed @ ₹47 lakhs per acre. The relevant portion of the said judgment reads as under:-

“In view of the over all evidence on record, we have to work out suitable enhancement, as lot of development has taken place for acquisition made in the year 2008. Thus, we deem it appropriate to grant compensation at the rate of Rs.47,00,000/- per acre for the acquisition made vide Notification dated 1.4.2008, along with the statutory benefits.”

Accordingly, keeping in view the above, the present appeal is also allowed in the abovesaid terms.

NOVEMBER 14, 2018

Naveen

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

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No