

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

-:-

RFA No. 4633 of 2017

Date of decision: 28.02.2018

Yograj Sharma

... Appellant

Vs.

State of Haryana & Ors.

...Respondents

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

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Present: Mr. Ravindra Jain, Advocate, for the appellant.

Ms. Safia Gupta, AAG, Haryana.

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**G.S.SANDHAWALIA, J. (Oral)**

Counsel for the appellant submits that notification dated 28.01.2002 of Village Garhi Mundo, Tehsil Jagadhari, District Yamuna Nagar, market value has already been enhanced at the rate of ₹2402.40 Paisa per sq. meter. It is submitted that the Reference Court vide impugned judgment dated 23.03.2017 has granted ₹1560 per sq. meter for the said notification. Reliance is accordingly placed upon the judgment passed in RFA No. 5083 of 2009 Zora Singh Vs. State of Haryana & Ors., decided on 05.03.2014 pertaining to same notification, wherein it was held as under:-

“ In view of the decision of the Apex Court in **Om Parkash's** case (*supra*), appellants are entitled to be awarded compensation at the rate of 12% per annum by way of enhanced compensation for the intervening period of notification under Section 4 of the Act in RFA No. 476 of 2004 and notification under Section 4 of the Act in the present

*appeals. So far as RFA No. 476 of 2004 is concerned, the notification under Section 4 of the Act was issued on 4.6.1997 whereas in the present case, the notification was issued on 28.1.2002. The amount of enhancement works out to ₹1560 x 12% x 4½ years = ₹842.40 paisa. Therefore, the appellants are entitled to receive compensation at the rate of ₹1560 + ₹842.40 paisa = ₹2402.40 paisa.*

*Accordingly, these appeals are allowed. The order dated 30.7.2009 passed by the Reference Court is modified to the extent that the appellants are also entitled to receive compensation at the rate of ₹2402.40 paisa per square meter.*

Counsel for the State could not dispute that the said judgment has become final. The landowners in those cases had approached the Apex Court, but had failed to get any relief.

Accordingly, the present appeal is allowed and is disposed of in terms of Zora Singh's case (supra).

**February 28, 2018**  
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**(G.S. SANDHAWALIA)**  
**JUDGE**

Whether speaking/reasoned : Yes/No  
Whether Reportable: Yes/No