

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

RFA No.4976 of 2012 (O&M)

Date of Decision:09.08.2018

Mahender (deceased) through his LRs and others ...Appellants

Versus

State of Haryana and others ...Respondents

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

Present: Mr. Jangvir S. Hooda, Advocate
for the appellants.

Mr. Shivendra Swaroop, AAG, Haryana
for respondent Nos.1 and 2.

Mr. P.S. Saini, Advocate
for respondent Nos.3 and 4 (HSIDC).

G.S. SANDHAWALIA, J. (ORAL)

CM-12481-CI-2017

Application for condonation of delay of 1721 days in refilling the appeal has been filed. In view of the averments made, duly supported by the affidavit, the delay of 1721 days in refilling the appeal is condoned.

CM stands disposed of.

RFA No.4976 of 2012

The present appeal under Section 54 of the Land Acquisition Act, 1894 is directed against the award dated 29.05.2012 of Reference Court, Faridabad for the notification dated 31.07.2006 wherein the Reference Court had awarded Rs.707/- per square yard (Rs.34,21,880/- per acre) enhancing the amount of compensation from Rs.16 lakhs/26 lakhs per acre.

It is not disputed that this Court in RFA No.2075 of 2012 titled as “**Sohan Lal and another Vs. State of Haryana and others**” decided on 03.09.2014 enhanced the compensation to Rs.1230/- per square yard for the said notification. Relevant portion reads as under:

“Considering the aforesaid factors, in my opinion, cut of 50% would be reasonable for the purpose of determination of fair value of the acquired land. After applying the same, the compensation payable to the landowners will come out to ₹ 1,230/- per square yard. The same shall be the compensation payable for acquisition of land of all the villages. It is for the reason that even the Collector had assessed the compensation of the entire land at the same rate.

For the reasons mentioned above, the appeals filed by the landowners are allowed. They are held entitled to compensation @ ₹ 1,230/- per square yard pertaining to land of all the villages. They shall also be entitled to all statutory benefits available to them under the Act. The appeals filed by the Corporation are dismissed.”

Accordingly, to maintain the parity the appeal is allowed in the above said terms.

09.08.2018
pvd

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No