

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

**RFA No.898 of 2018 (O&M)
Decided on : 09.10.2018**

State of Haryana & another

... Appellants

Versus

M/s S.M.Housing Pvt. Ltd. & another

... Respondents

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

Present : Ms. Vibha Tewari, AAG, Haryana, for the appellants.

None for the respondents.

G.S. Sandhawalia, J. (Oral)

Delay applications

Though service is complete upon the respondents, but none had put in appearance on their behalf on 09.07.2018 and even today, position remain the same. Thus, it is apparent that the matter being covered, the respondents are not interested in contesting the same.

Accordingly, in view of the averments made in the applications, duly supported by affidavit and in view of the above facts, the same are allowed and the delay of 271 days in filing the present appeals, is hereby condoned.

CMs stand disposed of.

Main appeals

The present judgment shall dispose of 6 appeals, bearing RFA-898 to 903-2018, involving common questions of law and facts. However, to dictate orders, facts have been taken from RFA-898-2018.

The present appeals are directed against the award of the Reference Court, Yamunanager at Jagadhri dated 08.02.2017, for the notification under Section 4 of the Land Acquisition Act, 1894 dated 03.05.2005, whereby compensation has been fixed @ Rs.3610/- per sq.meter. Same was on the strength of the judgment dated 11.02.2014, rendered in RFA-3860-2014 titled *Ajmer Singh & others Vs. State of Haryana*, passed by this Court. The said judgment was subject matter of appeal before the Apex Court in **Manoj Kumar & others Vs. State of Haryana & others 2018 (2) RCR (Civil) 815**, whereby the order of this Court has been modified and the market value has, now, been determined @ Rs.95 lakhs per acre and not Rs.1,46,09,000/- as earlier determined by this Court.

Accordingly, the present appeals are allowed and the award of the Reference Court is, accordingly, modified, in view of the judgment of **Manoj Kumar** (supra).

October 09th, 2018
sailesh

(G.S.SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*