

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RFA-1138-1991

Date of decision: 14.03.2019

Devi Dayal

....Appellant

Versus

State of Haryana

...Respondent

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

Present: None for the appellant.

Mr.Sudeep Mahajan, Addl.A.G., Haryana

Ms.Vibha Tewari, AAG, Haryana.

G.S. SANDHAWALIA, J. (Oral)

Challenge in the present appeal, filed under Section 54 of the Land Acquisition Act, 1894 (for short, the 'Act') is to the award dated 08.12.1990, whereby the market value has been fixed @ Rs.41/- per sq.yard, for the notification dated 05.07.1982.

In similar circumstances, this Court has dealt with the issue in RFA-1206-2014 titled *Subhash Chander & others Vs. State of Haryana & others*, wherein it has been noticed that the said amount had been set aside in LPA-1134-1990, and the matter had been remanded for re-determination and eventually, on 05.10.2007, Rs.51.07/- per sq.yard was fixed as the market value.

The landowners, in Subhash Chander (supra), had taken the matter to the Apex Court, which had ordered to fix the compensation @ Rs.76.21/- per sq.yard, without deduction for development cost. In the said matter, the Reference Court has already redetermined the compensation @ Rs.76.21/- per sq.yard along with statutory benefits. The said order has been upheld in the above-said case, i.e., RFA-1206-2014, vide order of even date.

Accordingly, the present appeal is also disposed of, in the same terms, to the extent that the landowners would also be entitled for redetermination @ Rs.76.21/- per sq.yard along with statutory benefits.

14.03.2019

Sailesh

(G.S. SANDHAWALIA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No