

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

**RFA-1831-2019 (O&M)**

**Date of decision: 20.09.2019**

State of Haryana & another

....Appellants

Versus

Anju Chauhan & 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)**

**CM-4518-CI-2019**

Application has been filed for condonation of delay of 1091 days in filing the appeal.

Despite service having been effected, there is no appearance on behalf of the respondents to oppose the present application.

Accordingly, in view of the averments made in the application, duly supported by affidavit of the official, same is allowed. Delay of 1091 days in filing the appeal is hereby condoned.

CM stands disposed of.

**RFA-1831-2019 (O&M)**

Present appeal, filed under Section 54 of the Land Acquisition Act, 1894 (for short, the 'Act') is directed against the order of the Reference Court, Faridabad dated 13.01.2016 whereby for the land falling in Village Baselwa Tehsil & District Faridabad, the market value has been fixed @ Rs.2000/- per sq.yard. The same was on the basis of an earlier award dated

09.10.2015, passed in LAC-25-2015 titled *Ram Naresh Yadav Vs. State of Haryana & others* (Ex.P-1). While dealing with the said notification in question, for the said village, this Court re-decided the matter on 31.05.2019, in a bunch of cases, lead case being **RFA-7108-2012** titled *Rampal & others-II Vs. Land Acquisition Collector & another* and the market value for Village Baselwa, which falls within the Municipal Limits of Faridabad, has been fixed @ Rs.3300/- per sq.yard (Rs.1,59,72,000/- per acre). Relevant portion of the judgment reads as under:

“Relief

199. Keeping in view the above, the market value alongwith all statutory benefits is fixed as under:-

(i) For the first notification dated 01.05.2006, for the land of village Sihi, which was falling within the limits of Municipal Corporation, Faridabad, the market value would be Rs.1351/- per square yard (Rs.65,38,840/- per acre). The market value is fixed @ Rs.1229/- per square yard (Rs.59,48,360/- per acre) for villages Badoli/Baroli, Sihi, Murtazapur, Pehladpur and Bhatola, not falling in the municipal limits.

(ii) For the second notification dated 07.02.2008, the market value for the villages Bhatola, Murtazapur and Badoli/Baroli, is fixed @ Rs.1551/- per square yard (Rs.75, 06, 840/- per acre) and for other three villages i.e. Fajjupur Majra Neemka, Neemka, Faridpur, the market value is fixed @ Rs.1410/- per square yard (Rs.68,24,400/- per acre).

(iii) For the third notification dated 14.08.2008, the market value is fixed @ Rs.3300/- per square yard (Rs.1,59,72,000/- per acre) for the land falling within the limits of Municipal Corporation, Faridabad of villages Budhena, **Baselwa** and Mawai. For the other land of the said villages, the market value is fixed @ Rs.2970/- per square yard (Rs.1,43,74,800/-

per acre).

(iv) For the land falling in villages Badoli/Baroli, Pehladpur and Wazirpur, for the notification dated 14.08.2008, the market value is fixed @ Rs.2129/- per square yard (Rs.1,03,04,360/- per acre). For the lands of villages Palwali, Badshahpur, Bhatola and Murtazapur the market value is fixed @ Rs.1936/-per square yard (Rs.93,70,240/- per acre). And for the land falling in the last belt of the notification dated 14.08.2008 in villages Neemka, Fajjupur Majra Neemka, Kheri Khurd, Faridpur, Kheri Kalan, Bhupani, Riwajpur and Tikawali, the market value is fixed @ Rs.1760/- per square yard (Rs.85,18,400/- per acre).

200. Resultantly, the appeals alongwith cross-objections filed by both the landowners and the State are disposed of. In appeals where delay has been condoned conditionally, the benefit of interest on the enhanced compensation for the period of delay in filing the appeals shall not be granted to the landowners, as specified in the orders condoning the delay. All the pending civil miscellaneous applications also stand disposed of.

201. The State shall also comply with the directions laid down by the Apex Court in '**HSI IDC Vs. Pran Sukh**' (2010) 11 SCC 175, to ensure that the landowners are not fleeced by the middleman, which read as under:

(a) The Land Acquisition Collector shall depute officers subordinate to him not below the rank of Naib Tahsildar, who shall get in touch with all the land owners and/or their legal representatives and inform them about their entitlement and right to receive enhanced compensation.

(b) The concerned officers shall also instruct the land owners and/or their legal representatives to open savings bank account in case they already do not have such account.

(c) The bank account numbers of the land owners

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should be given to the Land Acquisition Collector within three months.

(d) The Land Acquisition Collector shall deposit the cheques of compensation in the bank accounts of the land owners.”

Keeping in view the above, there is no merit in the claim for reduction and the present appeal is, accordingly, dismissed.

20.09.2019  
*Sailesh*

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

*Whether speaking/reasoned:*  
*Whether Reportable:*

*Yes/No*  
*Yes/No*