

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

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**RFA No.2189 of 2005 (O&M) and
other connected appeals
Decided on : 04.11.2019**

State of Haryana through Land Acquisition Collector, Panchkula

... Appellant

Versus

Karnail Singh and others

... Respondents

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

Present: None.

G.S. Sandhawal, J. (Oral)

The present judgment shall dispose of 6 appeals i.e. **RFA No.2189 of 2005 and RFA Nos.2220, 2221, 3359, 5451 and 7843 of 2014** filed both by landowners and the State under Section 54 of the Land Acquisition Act, 1894 (for short 'the Act') directed against the Awards of the Reference Court, Panchkula dated 22.12.2004 and 16.09.2013. The landowners had been awarded compensation @ ₹500/- per square yard, as on the date of Section 4 notification i.e. 21.12.1994 for the land falling in village Maheshpur, Panchkula.

Vide the above said notification land measuring 45.15 acres was acquired for the development and utilization of the same as residential and commercial area for Sector-21, Urban Estate Panchkula.

A Coordinate Bench of this Court in **RFA No.1022 of 2005 'Dharam Pal Vs. State of Haryana and others'** decided on 16.10.2012, had upheld the said amount of compensation.

The matter was, thereafter, taken to the Apex Court by the other landowners and in '**Ashok Kumar and others Vs. State of Haryana and others'** 2015 (15) SCC 200, the market value for the notification dated 21.12.1994 had been enhanced by taking the base of 1990 acquisition which was issued on 29.01.1990, @ ₹394/- per square yard and 12% escalation has been granted to be calculated cumulatively. The relevant portion of the said judgment read as under:-

“With regard to Acquisitions of 1995 and 1994

Taking the base of 1990 acquisition, we fix the compensation at Rs.394/- per sq. yard. We also grant 12% escalation to be calculated cumulatively as provided under the Act.

Ordered accordingly.”

Resultantly, the market value as such is worked out @ ₹688/- per square yard alongwith all statutory benefits. Accordingly, the present appeals are disposed off in the abovesaid terms.

NOVEMBER 04, 2019
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No