

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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RFA No.1541 of 2012 (O&M)

Date of Decision: 21.05.2019

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Suraj Bhan & Anr.

... Appellants

VS.

State of Haryana & Anr.

... Respondents

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

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Present: Ms. Anita Balyan, Advocate  
Mr. RPS Ahluwalia, Advocate for the appellants

Mr. Shivendra Swaroop, AAG Haryana

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**G.S. SANDHAWALIA, J. (Oral)**

This order shall dispose of RFA Nos.1541, 1542 & 3070 of 2012 as point in issue is common which have been filed against the award dated 02.02.2012 of the Reference Court, Jhajjar.

On 04.04.2019 the following order was passed:-

*The appeals were disposed of vide order dated 31.08.2015 in terms of the order passed in **RFA No.1626 of 2011 'Puran Chand Wadhwa (deceased) through LRs vs. Land Acquisition Collector and another'**. Thereafter vide order dated 02.11.2015, the Coordinate Bench noted that the said three cases were not reserved for orders on 19.08.2015 along with RFA-1626-2011 and other cases. Accordingly, the orders were recalled and it was directed that the same be listed as per turn in the regular list in the presence of the counsel.*

*Office has now placed on record the order of the Apex Court passed in CA No.10903-10905 of 2018 Suraj Bhan & Anr. vs. The State of Haryana whereby the SLP filed by the landowners had been disposed of. The said Civil Appeals have been partly allowed in the light of the decision of the Apex Court rendered in **Civil Appeal No.10334 of 2018 Shashi vs. State of Haryana & Ors.** decided on 05.10.2018. The same was on the strength of **Civil Appeal No.19354/2017 Rajender Singh & Ors. vs. State of Haryana & Ors.** decided on 17.11.2017.*

*In **Rajender Singh & Ors.** case (supra), the market value has been given @ ₹15 lakhs per acre for village Bir Barkatabad for the notification dated 17.04.2002. The State counsel and counsel for the landowners have been put to notice regarding the above-said development. Accordingly, the matter is adjourned to 21.05.2019 to apprise this Court whether the landowners have got some undue benefits by virtue of going to the Apex Court in spite of the pendency of the appeals before this Court.*

Mr. RPS Ahluwalia, Advocate has put in appearance as it is pointed that he was looking after the appeals in question. It is further pointed out that certified copies had been obtained of the order dated 31.08.2015. Thereafter the landowners had filed SLPs against the said judgment and have got market value of Rs.15 lakhs per acre for village Bir Barkatabad for the notification dated 17.04.2002. It is submitted that since notice was issued to the earlier counsel namely, Ms. Anita Balyan who was not looking after the matters at that point of time her presence has been marked. The landowners were not aware as such of the orders being recalled and the case being re-listed.

Counsel for the State confirms the factum that the landowners have got the benefit being similarly situated as per other landowners for the notification in question and no undue benefit as such has occurred.

Keeping in view the above, the present appeals as such had been rendered infructuous on account of the fact that the landowners have approached the Apex Court and got the necessary relief. No further orders are called for. Office shall treat the appeals as infructuous in view of the above facts and circumstances.

**21.05.2019**

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**(G.S. Sandhawalia)**  
**Judge**

1. Whether speaking/reasoned?
2. Whether reportable?

**Yes/No**  
**Yes/No**