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

**1. RFA No.7127 of 2011
Date of decision: 22.10.2019**

Umed Singh and others . **...Appellants**

Versus

State of Haryana and others **...Respondents**

2. RFA No.1109 of 2013(O&M)

Rama Devi and others **...Appellants**

Versus

Haryana State through Collector and another **...Respondents**

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

Present: None for the appellants.

Mr. Pritam Saini, Advocate with
Mr. Dinesh Saini, Advocate for HSIIDC.

Ms. Vibha Tewari, AAG, Haryana.

G.S.SANDHAWALIA, J. (Oral)

This order shall dispose of RFA Nos.7127 of 2011 and 1109 of 2013 as common question of law and facts are involved in these appeals. However, the facts have been taken from RFA No.7127 of 2010.

The present appeals under Section 54 of the Land Acquisition Act, 1894 (hereinafter referred to as “the Act”) have been directed against the award dated 27.1.2010 wherein Reference Court, Gurgaon has fixed compensation at ₹ 28,15,849/- for the land which was acquired vide notification dated 6.3.2002/7.3.2002 of the villages Kasan, Bas Kusla, Bas

Haria, Dhana for setting up of Industrial Model Township Phase III, Manesar Tehsil and District Gurgaon.

This Court in **RFA No.2373 of 2010-Madan Pal (III) Vs. State of Haryana** decided on 9.3.2018 for the notification dated 7.3.2002 assessed the market value at Rs.41.40 lakhs per acre alongwith all statutory benefits for the villages in question i.e. Naharpur Kasan, Kasan, Bas Huria, Bas Khusla and Dhana.

The Apex Court in **Wazir and another Vs. State of Haryana 2019(1) Scale 364** decided on 11.1.2019 modified the said amount of compensation and awarded market value at Rs.37.54 lakhs per acre along with all statutory benefits.

The said amount has been modified in **Special Leave Petition (Civil) Nos. 4354-4358 of 2019-Hukam Singh etc. etc. Vs. State of Haryana and another** with MA No.299 of 2019 in **Civil Appeal No.264-270 of 2019-Wazir and another Vs. State of Haryana** decided on 8.2.2019.

Resultantly, the market value for the following villages has been reassessed which reads as under:-

30. In the circumstances, we direct:

- a) In respect of lands under acquisition from villages Naharpur Kasan and Kasan the market value shall be ₹ 39,54,666/-per acre. Additionally, all statutory benefits would be payable.
- b) In respect of lands under acquisition from villages Bas Kusla, Bas Haria and Dhana the market value shall be ₹ 29,77,333/-per acre. Additionally, all statutory benefits would be payable.

c) In respect of lands from villages Manesar the market value shall be ₹ 59,31,999/- per acre. Additionally, all statutory benefits would be payable.

d) M/s Kohli Holdings Private Limited shall not be entitled to any severance charges.

31. The appeals preferred by HSIIDC and the State of Haryana stand allowed to the aforesaid extent. The appeals preferred by all the landholders including M/s Kohli Holdings Private Limited stand dismissed. No costs.”

Resultantly, the aforesaid appeals are disposed in terms of

Wazir and another's case (Supra) modified on 8.2.2019.

October 22, 2019
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No