

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

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**CM-7304-CI-2019 in/and
RFA No.6797 of 2013
Decided on : 04.09.2019**

Mohan Lal (deceased) thorough his L.Rs. and others

... Applicant/Appellants

Versus

State of Haryana and others

... Respondents

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

Present: Mr. Bhisham Kumar Majoka, Advocate
for the applicant/appellants.

Ms. Vibha Tewari, AAG, Haryana.

G.S. Sandhawalia, J. (Oral)
CM-7304-CI-2019

Application under Section 151 CPC has been filed for restoring the main appeal and for re-decision in view of the remand by the Apex Court.

Earlier the matter was decided on 16.09.2015, in view of the order passed in **RFA No.7108 of 2012 'Rampal and others Vs. LAC and others'**. The matter was taken to the Apex Court and the abovesaid judgment was set aside in **Civil Appeal No (s).21014-21016 of 2017 'Premwati & others Vs. State of Haryana and another'** on 06.12.2017 while remanding the case. On 31.05.2019 in **RFA No.7108 of 2012 'Rampal and others-II Vs. LAC and another'**, this Court has re-decided the bunch of cases.

Accordingly, the application is allowed. The appeal is restored

to its original number and taken on board today itself.

CM stands disposed of.

Main appeal

The appeal is directed against the Award dated 30.04.2013 passed by the Reference Court, Faridabad, whereby ₹1118/- per square yard has been granted as market value for village Bhatola. This Court in **Rampal and others-II (supra)** for the notification dated 14.08.2008 has fixed the market value @ Rs.1936/-per square yard (Rs.93,70,240/- per acre) for the said village. Relevant portion of the said judgment reads as under:-

“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 square yard) 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).”

Accordingly, keeping in view the above, the present appeal is also disposed of in the same terms.

SEPTEMBER 04, 2019
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No