

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

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RFA No. 2383 of 2018 (O & M)

Date of Decision: 16.5.2019

Kabul Singh (deceased) through LRs and othersAppellants

v.

LAC, Faridabad and othersRespondents

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

Present:- Mr. P.R. Yadav, Advocate, for the appellants

Mr. Shivendra Swaroop, AAG, Haryana

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

The present appeal arises out of the award of Reference Court, Sonapat, dated 18.5.2013. The Reference Court has enhanced the compensation for notification dated 18.1.2013 from Rs.12 lakhs to Rs.16,64,960/- (Rs.344/-per square yard). It is submitted that the matter is covered by RFA No. 215 of 2014 titled as **Ravinder Kumar @ Ravinder and others v. The State of Haryana and others**, decided on 20.11.2015, whereby the market value has been increased to Rs.19,84,400/- (Rs.410/-per square yard). The relevant portion of which is reads as under :

“For the land of villages Sultanpur and Raipur acquired vide notifications under Section 4 of the Act dated 19.10.2001 and 20.10.2001 for development and utilisation thereof as residential and commercial area in Sections 5 and 6, Sonapat, this Court in RFA No. 3810 of 2013 Raghibir Singh and another v. State of Haryana and another decided today separately assessed the compensation @ ₹ 353/-per square yard. There is a time gap of one year and three months in the present acquisition. In the absence of any sale deed

produced on record by the land owners, but still considering the location and development in the area, in my opinion, the land-owners in the present case deserve to be granted increase for the time gap in two acquisitions @ 12% per annum cumulatively. If the amount is added in Rs.353/- by granting increase @ 12% per annum, the amount of compensation shall come out to Rs.407.22 per square yard, which is rounded off to Rs.410/- per square yard.

For the reasons mentioned above, the appeals are allowed. The land owners are awarded compensation @ Rs.410/-per square yard. They shall also be entitled to all the statutory benefits available to them under the Act.”

Learned State counsel submits that land owners had gone to the Apex Court in SLP No. 22256 of 2017, which was dismissed on 4.9.2017 and no further enhancement is granted.

Keeping in view the above, the appeal is allowed in the same terms.

(G.S. SANDHAWALIA)
JUDGE

16.5.2019

Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No