

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

**RFA No.3333 of 2017 alongwith other
connected cases
Decided on : 21.05.2019**

Om Parkash and others

... Appellants

Versus

State of Haryana and others

... Respondents

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

Present : Mr. Navmohit Singh, Advocate
for the appellants in RFA Nos.3333 & 3334 of 2017.

Mr. Parmod Parmar, Advocate for the appellant
in RFA No.330 of 2018.

Mr. J.P. Sharma, Advocate for the appellant
in RFA No.701 of 2018.

Ms. Vibha Tewari, AAG, Haryana.

G.S. Sandhawalia, J. (Oral)

The present order shall dispose of 4 appeals i.e. RFA Nos.3333 & 3334 of 2017 and RFA Nos.330 and 701 of 2018, which have been filed under Section 54 of the Land Acquisition Act, 1894 (for short 'the Act').

The appeals are directed against the Award of the Reference Court, Narnaul dated 12.01.2017, wherein market value has been fixed @ ₹60 lakhs per acre for the notification dated 01.3.2011 issued under Section 4 of the Act, for the land falling in village Pali, Tehsil & District Mohindergarh, by enhancing it from ₹30 lakhs per acre awarded by the Land Acquisition Collector.

26 State appeals alongwith cross-objections filed against the same award have been decided on 09.05.2019, lead case of which was

RFA No.3333 of 2017 alongwith other connected cases

RFA No.3725 of 2018 'The State of Haryana and others Vs. Om Parkash and others' and the award of the Reference Court has been set aside and the matters were remanded to the Reference Court for fresh consideration. The relevant portion of the said judgment reads as under:-

“Keeping in view the above, this Court is of the opinion that the award cannot stand legal scrutiny as even the award dated 26.9.2014 (Ex.P-4) was not discussed which would have been a relevant piece of evidence as the land was falling in the same village and acquired earlier.

Accordingly, the State appeals are allowed and the judgment of the Reference Court dated 12.1.2017 is set aside. The matters are remanded for fresh consideration. Parties to appear before the District Judge, Mohindergarh at Narnaul on 8.7.2019.

Cross objections are accordingly disposed of.”

Accordingly, keeping in view the reasons given in the said judgment, the present appeals have been rendered infructuous, since the award itself has been set aside and there is no question of further enhancement.

Disposed of.

MAY 21, 2019
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No