

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

**RFA No.3831 of 2017 (O&M) & other
connected appeals
Decided on : 11.02.2019**

Geeta Devi

... Appellant

Versus

State of Haryana and others

... Respondents

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

Present: Mr. Ashish Gupta, Advocate for
Mr. Arjun Atri, Advocate for the appellant (s) in
RFA Nos.3831, 3832, 3833, 3835, 5055, 5056 &
5524 to 5527 of 2017

Mr. Ashish Gupta, Advocate for the appellant (s)
in RFA Nos.4039 & 5074 of 2017.

Mr. Shivendra Swaroop, AAG, Haryana.

G.S. Sandhawalia, J. (Oral)

The present order shall dispose of 12 appeals i.e. RFA Nos.3831, 3832, 3833, 3835, 4039, 5055, 5056, 5074 & 5524 to 5527 of 2017 (O&M) filed under Section 54 of the Land Acquisition Act, 1894 (for short 'the Act') against the Award dated 16.08.2016 of the Reference Court, Mewat, whereby the market value had been assessed at ₹83,85,300/- per acre i.e. ₹1732.50 per square yard and against the Awards dated 06.10.2016 and 14.02.2017, wherein the market value had been assessed @ ₹1,85,14,286/- per acre i.e. ₹3,825/- per square yard.

The notification in question is dated 12.08.2009 issued under Section 4 of the Act. The State has de-notified the said acquisition and the appeal of the State bearing **RFA No.1458 of 2017 'State of Haryana**

through Collector, Mewat & another Vs. Gram Panchayat Shahpur Nangli & another' was dismissed on 15.05.2017 by a Coordinate Bench.

The order reads as under:-

“Learned State counsel seeks to place on record affidavit of Mahabir Parsad, Land Acquisition Officer, Urban Estates, Faridabad. Prayer is accepted. Affidavit is taken on record. At the outset it has been pointed out by Mr. Saini, learned Addl. Advocate General, representing the State that a notification under Section 4 of the Act was issued on 12.8.2009 and consequent proceedings followed. Thereafter, compensation was assessed by the Land Acquisition Collector. On a reference being made to the Referral Court under Section 18 of the Act, same has been enhanced considerably by way of separate awards. Awards, thus, have been impugned in the present appeals. However, during pendency thereof, notification dated 11.4.2017 has been issued, whereby it has been decided to return the land to the owners.

In view of the fact that aforesaid notification dated 11.4.2017 has been issued by the State the acquired land has been de-notified. Thus, no cause of action survive in these appeals. Same are hereby dismissed as having been rendered infructuous.

At this stage, Mr. Saini submits that the State may be allowed to seek revival of the appeals in case there is any change of circumstances. This prayer is accepted. Liberty is granted.”

It is stated that the matter is pending before the Division Bench challenging the de-notification at the hand of the landowners.

In such circumstances, this Court is of the opinion that the present appeals have, thus, been rendered infructuous, in view of the de-

notification, in view of the above order passed in the case of State appeal. However, liberty is given to the landowners to revive the appeal, in case they succeed in their writ petitions,

Accordingly, the present appeals alongwith all pending civil miscellaneous applications stand disposed of as having been rendered infructuous.

FEBRUARY 11, 2019
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No