

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

SAILESH RANJAN
2019.04.24 14:37
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RFA-483-2018 (O&M)

Date of Decision:09.04.2019

Smt. Bhagwani Devi and others

... Appellants

Vs.

State of Haryana and others

... Respondents

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

Present : Mr. Kamal Mor, Advocate
for the appellants.

Ms. Vibha Tiwari, A.A.G. Haryana.

G.S. SANDHAWALIA, J. (Oral)

C.M. No.1283-CI-2018

Heard. Delay of 1591 days' in re-filing the appeal is condoned for the reasons stated in the application which is supported by an affidavit as also the fact that the appeal is filed way back on 7.2.2018.

Main case

Accordingly, counsel for the appellant has contended that according to the notification dated 25.01.2018, the land was acquired for the development and utilization of land for sector road for 150 Mtrs. Wide periphery road linking Dwarka Township, Delhi from Haryana boundary to NH-8 near village Kherki Daula at Gurgaon. It is not disputed that the Reference Court had granted the compensation at the rate of Rs.1,53,00,00/- per acre vide impugned order dated 31.10.2012 by enhancing of the amount as awarded by the Land Acquisition Collector which had been given at the rate of Rs.60 lacs per acre. This Court in *Ram Chander's case (supra)* i.e. RFA No.4475-2012 enhanced the amount of compensation at the rate of Rs.3,00,00,00/- per acre for the village Dhanvapur, Tehsil & District

Gurgaon. The matter was tasken to the Apex Court in Civil Appeal No.11814-11864 of 2017 which has made a deduction of 15% towards the development cost.

Resultantly, the present appeal is allowed to the extent that the landowners-appellants shall be entitled for Rs.2,55,00,000/- as held by the Apex Court by putting a deduction of 15% of development cut on the amount which has been assessed by this Court in *Ram Chander's case (supra)*.

09.04.2019
rajeev

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**