

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

RFA No. 760 of 2018 (O & M)

Date of decision: 05.12.2019

Mohan Singh and another

....Appellant(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Vineet Chaudhary, Advocate,
for the appellants.

Ms. Vibha Tewari, AAG, Haryana.

G.S.SANDHAWALIA, J. (Oral)

The present appeal is directed against the award of the Reference Court dated 11.08.2010 wherein, for the notification dated 18.08.2005, the Reference Court, Kaithal has fixed the market value at Rs.6,00,000/- per acre while placing reliance upon Ex.P-1 i.e. award dated 02.01.2009.

The said award was subject matter of consideration in ***RFA No. 1688 of 2009, Tarlochan Singh and another vs. State of Haryana and others***, decided alongwith a bunch of cases on 01.04.2011. The land, in the present case, falls in village Theh Banera, Tehsil Guhla. The award dated 02.01.2009 was subject matter in the said case and market value was increased by Rs.50,000/-. The relevant portion reads thus:-

“Keeping in view the increase shown by the Government itself in the prices of land, the value of the land in the present set of appeals is determined @ Rs. 6,50,000/- per acre. The landowners are also be held entitled to all the statutory benefits available under the

Act.

As far as grant of severance on account of bifurcation of land, the court has rightly granted compensation to the landowners who have led evidence in that regard, accordingly, the same does not call for any interference.

The appeals are disposed of accordingly.”

It is now pointed out by the State, on instructions from Mr. Lalit Dumyan, SDO, Irrigation Department that in ***Civil Appeal No. 6873 of 2015, Shamsher Singh vs. State of Haryana and others*** decided on 01.09.2015, the market value for the said village has been increased to Rs.7,75,000/- alongwith all statutory benefits. The relevant portion reads thus:-

“13. In our considered opinion, keeping in view the peculiar facts and circumstances of the case and also other factors, we deem it appropriate to enhance the compensation. The appellants/ claimants are now entitled to the enhanced compensation as below:

S.No.	Civil Appeals @ S.L.P. Nos.	Village	Enhanced Compensation
1.	32640/2013	Balbehra	8,00,000/-
2.	17735/2015	Khambahera	8,25,000/-
3.	17757/2015	Khambahera	8,25,000/-
4.	22061/2015	Theh Banhera	7,75,000/-
5.	25074-25078/ 2015	Daba	8,00,000/-

However, the compensation of Rs.8,72,000/- as awarded by the High Court in respect of village Khambahera in Civil Appeal arising out of S.L.P. (C) No.11868 of 2015, remains undisturbed.

14. The claimants would be entitled for all statutory benefits on the enhanced amount from the date of the order so passed by the High Court.

15. In the result, all the appeals are disposed of in terms of the order passed above.

Ordered accordingly.”

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

05.12.2019
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No