

**106 -B IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**RFA-1229 of 2020 (O&M)
Date of Decision: 25.11.2020.**

State of Haryana & Ors

...Appellants

V/S

Kanhiya Lal & Ors.

....Respondents

CORAM: HON'BLE MR JUSTICE ARUN MONGA

Present : Ms. Ranjana Shahi, Addl. AG Haryana
for the appellant.

Mr. Tushar Gautam, Advocate
For the respondents.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

CM-2641-CI of 2020

Application is allowed, as prayed for.

CM-2642-CI of 2020

For the reasons mentioned in the application, same is allowed and delay of 30 days in filing the present appeal stands condoned.

RFA-1229 of 2020

1. Vide impugned award dated 15.11.2019, Reference Court has enhanced the compensation amount from Rs.16.00 lacs per acre (as awarded by the Land Acquisition Collector) to Rs.48,57,000/- per acre. Learned State counsel submits that though the Reference Court has enhanced the compensation amount payable to respondents to Rs.48,57,000/- per acre, but the Hon'ble Apex Court vide judgment dated 21.09.2017 rendered in **Bharti & Anr. Vs. State of Haryana & Ors.**¹ has already reduced the compensation

amount to Rs.32,62,500/- per acre in respect of the same acquisition notification. She refers to a decision rendered by Co-ordinate Bench of this Court in **Mool Chand & Ors. Vs. State of Haryana & Ors.**², wherein also appeal filed by the landowners was disposed of by relying upon the decision of Apex Court in Bharti's case, *ibid*.

2. Learned counsel for the respondents does not controvert the aforesaid though he argues that due to lapse of time, compensation to the landowners has been rightly enhanced and thus defends the award.

3. Heard.

4. Once the issue of quantum of compensation has already been settled by the Supreme Court, respondents are not entitled to higher compensation and/or undue enrichment at the cost of State Exchequer. Present appeal is also, therefore, disposed of in terms of judgment rendered by Apex Court in Bharti's case (supra). Impugned award, per acre, is modified accordingly.

5. Pending application(s), if any, stand disposed of.

November 25, 2020
Jiten

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No