

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

RFA-6018-2012

Decided on : 07.02.2020

M/s Indian Oil Corporation Limited ... Appellant

Versus

Chandgi Ram and others ... Respondents

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

Present: Mr.Ashish Kapoor, Advocate, for the appellant.
 Mr.Ashok Khubbar, Advocate for the respondents.

G.S. Sandhawalia , J. (Oral)

Mr.Kapoor points out that the cross appeal RFA No. 2006 of 2018, **Chandgi Ram(deceased) through his LRs and another vs. State of Haryana and others** filed by the respondents has already been disposed of on 18.12.2019 in terms of the detailed judgment passed in **RFA-2517-2011 titled Indian Oil Corporation Limited, Panipat Refinery Project Versus Khan Chand Bajaj (deceased) through his L.Rs. and another.**

The award in the present case is dated 30.08.2011 and the market value by the Reference Court, Panipat was fixed at Rs. 97.94 ps per square yard, for the land falling in village Khukhrana. This Court has thus reduced the market value to Rs.2,67,500/- per acre in Khan Chand Bajaj(supra) while dealing with the said amount. The relevant part of the judgment reads as under:-

“136. Relief

xxx xxx xxx xxxxx xxxxx

(iii) For the third notification dated 12.12.1994 the appeals of the Corporation are allowed and the market value is assessed @ Rs.2,67,500/- per acre alongwith all statutory for all seven villages i.e. Shodapur, Khukhrana, Nohra, Sithana, Baholi, Assan Kalan and Garhi Sikandarpur. An additional amount of 30% of the market value is granted on severance charge, on account of laying of the railway line. However, it is made clear that on the amount of severance the landowners would not be entitled for the benefits of Section 23 (1A) and Section 23 (2) as it is not the market value as such and in view of the law laid down by the Apex Court passed in Amarjit Singh (supra).”

Accordingly the appeal is disposed of in the above terms.

(G.S.Sandhawalia)
Judge

07.02.2020
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No