

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

884/2

**RFA No.3063 of 2015
Decided on : 07.02.2020**

Gian Chand and others

... Appellant

Versus

State of Haryana and another

... Respondents

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

Present: Mr. Adarsh Jain, Advocate for the appellants.

Ms. Vibha Tewari, AAG, Haryana.

G.S. Sandhawalia, J. (Oral)

Office has put up the case on account of the remand from the Apex Court in in **Civil Appeal No (s).21014-21016 of 2017 'Premwati & others Vs. State of Haryana and another'** decided on 06.12.2017, since the case was earlier decided in terms of judgment dated 16.09.2015 passed in **RFA No.7108 of 2012 'Rampal and others Vs. Land Acquisition Collector and others'**.

The award in the present case of the Reference Court is dated 15.12.2014 and the land is situated in village Bhatola and the notification in question is dated 07.02.2008. The Reference Court has relied upon the Award passed in **LA Case No.1025 of 2011 'Kesri Vs. State of Haryana'** decided on 30.04.2013 (Ex.P1) and the Award passed in **LA Case No.292 of 2011 'Dharambir Singh and others Vs. State of Haryana and another'** decided on 01.06.2013 (Ex.P2) to fix the market value @ Rs.1052/- per square yard.

The Award dated 01.06.2013 (Ex.P2) was also dealt with in **RFA No.7108 of 2012 'Ram Pal and others (II) Vs. Land Acquisition**

Collector and another' decided on 31.05.2019 and the market value for village Bhatola has been fixed @ Rs.1551/- per square yard (Rs.75,06,840/- per acre). The relevant portion of the said judgment reads as under:-

“Relief

199. Keeping in view the above, the market value alongwith all statutory benefits is fixed as under:-

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(ii) **For the second notification dated 07.02.2008, the market value for the villages Bhatola, Murtazapur and Badoli/Baroli, is fixed @ Rs.1551/- per square yard (Rs.75,06,840/- per acre) and for other three villages i.e. Fajjupur Majra Neemka, Neemka, Faridpur, the market value is fixed @ Rs.1410/- per square yard (Rs.68,24,400/- per acre).**

XXXXXXXXXXXXXXXXXXXXX

200. Resultantly, the appeals alongwith cross-objections filed by both the landowners and the State are disposed of. In appeals where delay has been condoned conditionally, the benefit of interest on the enhanced compensation for the period of delay in filing the appeals shall not be granted to the landowners, as specified in the orders condoning the delay. All the pending civil miscellaneous applications also stand disposed of.

201. The State shall also comply with the directions laid down by the Apex Court in '**HSI IDC Vs. Pran Sukh' (2010) 11 SCC 175**, to ensure that the landowners are not fleeced by the middleman, which read as under:

- (a) The Land Acquisition Collector shall depute officers subordinate to him not below the rank of Naib Tahsildar, who shall get in touch with all the land owners and/or their legal representatives and inform them about their entitlement and right to receive enhanced compensation.
- (b) The concerned officers shall also instruct the land owners and/or their legal representatives to open savings bank account in case they already do not have such account.

(c) The bank account numbers of the land owners should be given to the Land Acquisition Collector within three months.(d) The Land Acquisition Collector shall deposit the cheques of compensation in the bank accounts of the land owners.”

Resultantly, the present appeal is also disposed of in the above said terms.

FEBRUARY 07, 2020
Naveen

(G.S. SANDHAWALIA)
JUDGE

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