

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

C.M. No. 1424-CI of 2020 in/and
RFA No. 7238 of 2013
Date of decision: 05.03.2020

Ram Gopal and another

....Appellant(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Amit Gupta, Advocate,
for the applicant-appellants.

G.S.SANDHAWALIA, J. (Oral)

C.M. No. 1424-CI of 2020 has been filed for recalling of the judgment dated 16.09.2015 and for re-deciding the case in terms of the judgment passed in ***RFA No. 7108 of 2012, Rampal and others (II) vs. LAC and another*** dated 31.05.2019.

Notice in the application.

Mr. Abhinash Jain, AAG, Haryana accepts notice.

It is not disputed that the order which is sought to be recalled was in terms of the main judgment which was set aside by the Apex Court in ***Civil Appeal No. 21014-21017, Premwati and others vs. State of Haryana and another*** decided on 06.12.2017 and the matters were remanded. Accordingly, this Court has re-decided the issue in ***Rampal (II) case (supra)*** for the notification dated 14.08.2008 by which the land was acquired for village Bhatola and the appeal arises out of the award dated 30.04.2013 passed by the Reference Court. This Court has already dealt

with the said award in the judgment re-decided on 31.05.2019. The amount awarded for the said village is Rs.1,936/- per square yard (Rs.93,70,240/- per acre). The relevant portion reads thus.

*(iv) For the land falling in villages Badoli/Baroli, Pehladpur and Wazirpur, for the notification dated 14.08.2008, the market value is fixed @ Rs.2129/- per square yard (Rs.1,03,04,360/- per acre). For the lands of villages Palwali, Badshahpur, **Bhatola** and Murtazapur the market value is fixed @ Rs.1936/- per square yard (Rs.93,70,240/- per acre). And for the land falling in the last belt of the notification dated 14.08.2008 in villages Neemka, Fajjupur Majra Neemka, Kheri Khurd, Faridpur, Kheri Kalan, Bhupani, Riwajpur and Tikawali, the market value is fixed @ Rs.1760/- per square yard (Rs.85,18,400/- per acre).*

xxx

xxx

xxx

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.

Accordingly, the application is allowed and the order dated 16.09.2015 is recalled.

The main case is taken on Board and for hearing today itself and is also disposed of in the same terms as in *Rampal (II) case (supra)*.

05.03.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No