

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

RFA Nos. 2847, 5557 and 2850 of 2014

Date of decision: 05.02.2020

Om Parkash and others

...Appellant(s)

Versus

State of Haryana and another

...Respondent(s)

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

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

Mr. Sudeep Mahajan, Addl. A.G., Haryana.

G.S.SANDHAWALIA, J. (Oral)

The present order shall dispose of three appeals i.e. RFA Nos. 2847, 5557 and 2850 of 2014 as common questions of facts and law are involved in all the appeals. Reference is being made to ***RFA No. 2847 of 2014, Om Parkash and others vs. State of Haryana and another.***

Office has put up the cases on account of remand from the Apex Court in Civil Appeal Nos.21014-21016 of 2017 decided on 06.12.2017, since the cases were disposed of in terms of the earlier decision in ***RFA No. 7108 of 2012, Rampal and others vs. LAC and another*** decided on 16.09.2015 which was set aside.

It is not disputed that the above said appeal has been re-decided on 31.05.2019 in ***RFA No. 7108 of 2012, Rampal and others (II) vs. Land Acquisition Collector and another*** and the market value for the notification dated 14.08.2008 for village Fajjupur Majra Neemka has been fixed vide the said judgment. The awards in the present cases are dated 11.04.2013 passed by the Reference Court, Faridabad and pertaining to village Fajjupur Majra

Neemka as per the Memo of Parties, which was also dealt with. This Court has fixed the market value for village Fajjupur Majra Neemka at Rs.1,760/- per square yard (Rs.85,18,400/- per acre). The relevant portion reads thus:-

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

xxx

xxx

xxx

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).

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.”

Accordingly, the present appeals are also disposed of in the same terms.

05.02.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No