

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

RFA No. 681 of 2020 (O & M)

Date of decision: 12.03.2020

Sampuran Singh (D) through L.Rs. and others

....Appellant(s)

Versus

State of Haryana and another

...Respondent(s)

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

Present: Mr. Sushil K. Sharma, Advocate,
for the applicant-appellants.

Ms. Vibha Tewari, AAG, Haryana.
G.S.SANDHAWALIA, J. (Oral)

Refiling Application

Notice in the application for condonation of delay of 873 days
in refiling the appeal.

Ms. Vibha Tewari, AAG, Haryana accepts notice.

Application is allowed, in view of averments made in the
application duly supported by affidavit.

Delay condoned.

Filing Application

Notice in the application for condonation of delay of 6 days in
filing the appeal.

Ms. Vibha Tewari, AAG, Haryana accepts notice.

Application is allowed, in view of averments made in the
application duly supported by affidavit and in view of the nominal delay.

Delay condoned.

C.M. No. 1797-CI of 2020

The present application has been filed for bringing on record legal representatives of deceased-appellant no. 1 namely Sampuran Singh who is stated to have died on 13.12.2012. The applicants have claimed such right on the basis of registered Will dated 28.12.2001. The details of legal representatives have been mentioned in para no. 5 of the application. The application is supported by affidavit of Gurmail Singh, son of the deceased-appellant no. 1.

Accordingly, the application is allowed without commenting upon the validity and veracity of the Will. Persons mentioned in para no. 5 of the application are allowed to be brought on record as legal representatives of deceased-appellant no. 1 only for the purpose of pursuing the present appeal. The present order shall not ensure any benefit in any other set of proceedings.

C.M. No. 1798-CI of 2020

The present application has been filed for bringing on record legal representatives of deceased-appellant no. 4 namely Rattan Kaur, who is stated to have died on 03.08.2012. The applicants have claimed such right on the basis of registered Will dated 03.08.2011. The details of legal representatives have been mentioned in para no. 4 of the application. The application is supported by affidavit of Paramjit Singh, son of the deceased-appellant no. 4.

Accordingly, the application is allowed without commenting upon the validity and veracity of the Will. Persons mentioned in para no. 4 of the application are allowed to be brought on record as legal representatives of deceased-appellant no. 4 only for the purpose of pursuing the present appeal. The present order shall not ensure any benefit in any

other set of proceedings.

C.M. No. 1794-CI of 2020 in/and RFA No. 786 of 2012

The present application has been filed for treating the present appeal on urgent basis and deciding the same in view of the decision in ***RFA No. 1235 of 2018, Smt. Ram Kaur vs. State of Haryana and another decided on 10.01.2020.***

Notice in the application.

Ms. Vibha Tewari, AAG, Haryana accepts notice.

The present appeal filed under Section 54 of the Land Acquisition Act, 1894 (in short 'the Act') is directed against the award of the Reference Court, Panchkula dated 13.11.2017 whereby for the land falling in village Baglana pertaining to the notification dated 30.11.2006, the market value had been fixed at Rs.1,478/- per square yard. The said judgment was subject matter of *Smt. Ram Kaur's case (supra)* wherein, the market value has been fixed as under:-

“71. Relief:- (i) Accordingly, for the notification dated 30.11.2006, market value is fixed @ Rs.1873/- per sq.yard (Rs.90,65,320/- per acre), for the land falling within 2 acres (440 feet) from the National Highway No.21-A and within the Municipal limits of Pinjore, at the time of Section 4 notification. For the land beyond the said distance or outside the Municipal limits, the market value would be @ Rs.1500/- per sq.yard (Rs.72,60,000/- per acre), along with all statutory benefits.

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(iv) The State shall also comply with the directions laid down by the Apex Court in Haryana State Industrial Development Corporation Vs. Pran Sukh & others 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.

(v) The entitlement of the landowners would be to the amounts awarded above along with statutory benefits. The State would also be entitled to make adjustment of the amounts which have already been paid during the litigation.”

Accordingly, C.M. No. 1794-CI of 2020 is allowed and the present appeal is also disposed of in the same terms as in *Smt. Ram Kaur's case (supra)*.

12.03.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No