

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

X Objection No. 3 of 2020 in
RFA No. 6034 of 2012
Date of decision: 17.01.2020

M/s. Indian Oil Corporation Ltd.

....Appellant(s)

Versus

Ram Piari (D) through L.Rs. and others

...Respondent(s)

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

Present: Ms. Amrita Nagpal, Advocate,
for the respondents-cross objectors.

G.S.SANDHAWALIA, J. (Oral)

Notice in the cross objections.

Mr. Ashish Kapoor, Advocate accepts notice.

The cross objections have been listed after the decision of the main appeal on 07.01.2020. The cross objections were filed on 20.12.2019 against the award of the Reference Court dated 30.08.2011. Vide the said order, the appeal was disposed of in terms of detailed order dated 07.01.2020 passed in RFA No. 2142 of 2012, M/s. Indian Oil Corporation Ltd. vs. Sita Ram (D) through L.Rs. and others.

Resultantly, keeping in view the earlier judgment in RFA No. 2517 of 2011, Indian Oil Corporation Ltd. vs. Khan Chand Bajaj (D) through L.Rs. and another (III) decided on 18.12.2019, the appeals of the Corporation were allowed. The market value was fixed as under for the notification in question:-

*“(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 appeals are disposed of in the above said terms and the cross objections filed on behalf of legal representatives of Sita Ram are dismissed.”

A perusal of the above would go on to show that similar cross objections filed on behalf of the land owners were dismissed. Resultantly, the present cross objection is also dismissed in view of the market value having been fixed, as above.

17.01.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No