

In the High Court of Punjab and Haryana, at Chandigarh

Regular First Appeal No. 2685 of 2021 (O&M)

Date of Decision: 11.07.2022

Reserved On: 07.05.2022

Surajmal (Now Deceased) through his Legal Representatives

... Appellant(s)

Versus

State of Haryana and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Shailendra Jain, Senior Advocate
with Satyendra Chauhan and Mr. Jagtar Singh,
Mr. Karan Nehra, Ms. Sandeep Kaur, Mr. Abhay Josan,
Mr. Harvinder Thakur, Mr. Sushil K. Sharma for
Mr. M.L.Sharma, Mr. Varun Gupta, Mr. J.S. Yasdav,
Mr. Ashish Gupta, Mr. Gulshan Nandwani,
Mr. Himanshu Sharma and Mr. Amit Jain, Advocates
for the landowners.

Mr. Ashwani Kumar Chopra, Senior Advocate
with Mr. Pritam Singh Saini and Mr. Vidul Kapoor, Advocates
for the HSIIDC.

Mr. Shivendra Swaroop, Assistant Advocate General,
Haryana and Ms. Vibha Tewari, Assistant Advocate
General, Haryana.

Anil Kshetarpal, J.

1. This batch of eight appeals was listed at serial No. 245 of the
cause list for 07.05.2022. After hearing the arguments, the judgment was
reserved.

2. Another batch of appeals from the same notification under
Section 4 of the Land Acquisition Act, 1894, with respect to the acquired
land located in village Sehsole was listed at serial No. 237. The arguments

were heard and the judgment was reserved which was pronounced on 08.07.2022. However, due to oversight, these eight appeals, though arising from the same acquisition, were inadvertently left out.

3. The relevant particulars, for the purpose of decision of the present case, are as under:-

S.NO.	TITLE	DETAILS
1.	Date of Notification under Section 4 of the 1894 Act.	29.09.2005
2.	Date of Notification under Section 6 of the 1894 Act.	15.12.2005
3.	Purpose of Acquisition.	For construction of Express Highway connecting NH-1, 10, 8 and 2.
4.	Location, area and nature of the acquired land	Proposing to acquire the land measuring 639 kanals and 17 marlas of land located in village Sehsola , Tehsil Tauru, District Mewat.
5.	Number and Date of the Award of the Land Acquisition Collector.	No.9 dated 26.05.2006 acquiring the lands comprised in Rectangle No. 103, 104, 115, 116,117,118, 119, 125 and 126.
6.	Amount assessed by the Land Acquisition Collector.	₹12,50,000/- per acre.
7.	Amount determined by the Reference Court.	The RC, on 21.11.2009, in the first round, dismissed the applications under Section 18 of the 1894 Act. However, the High Court on 31.01.2019, in Om Parkash v. State of Haryana and Others (Regular First Appeal No. 3552 of 2010) , remitted back the matter to the RC for fresh decision.
8.	Date of re-decision of the RC and the amount re-assessed, after remand.	Vide judgment dated 14.02.2020, the RC has assessed the market value of the acquired land @ ₹17,50,000/- per acre while directing that the landowners shall also be entitled to 50% of the market value of the land assessed as compensation for

S.NO.	TITLE	DETAILS
		severance of the land if the unacquired remnant land is less than 1 acre.

4. Keeping in view the aforesaid facts, these eight appeals are disposed of in terms of the judgement passed in *Haryana State Industrial and Infrastructure Development Corporation Limited v. Mal Mohammad (Deceased) through his legal heirs and Others (Regular First Appeal No. 170 of 2021, decided on 08.07.2022)*.

(Anil Kshetarpal)
Judge

July 11, 2022
“DK”

Whether speaking/reasoned :Yes/No
Whether reportable : Yes/No

Sr. No.	Case No.	Party’s Name
1.	RFA No.108 of 2022	Kuldeep Singh vs. State of Haryana and ors.
2.	RFA No.122 of 2022	Sardar (deceased) thr Lrs. vs. State of Haryana and ors.
3.	RFA No.6 of 2022	Kamruddin and ors. vs. State of Haryana and ors.
4.	RFA No.676 of 2022	Ram Kumar and ors. vs. State of Haryana and ors.
5.	RFA No.678 of 2022	Manbhari (deceased) thr Lrs. vs. State of Haryana and ors.
6.	RFA No.679 of 2022	Chander Singh (deceased) thr Lrs. and anr. vs. State of Haryana and ors.
7.	RFA No.693 of 2022	Vinod Kumar and anr. vs. State of Haryana and ors.

(Anil Kshetarpal)
Judge

July 11, 2022
“DK”