

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

304

**1. RFA-2636-2021
Date of decision: 18.11.2022**

SMT. MANJIT DEVI

..Appellant

Versus

STATE OF HARYANA AND ANOTHER

..Respondents

2. RFA-2637-2021 (O&M)

SMT. URMILA DEVI

..Appellant

Versus

STATE OF HARYANA AND ANOTHER

..Respondents

3. RFA-2675-2021

SANTLESH RANI

..Appellant

Versus

STATE OF HARYANA AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the landowners.

Mr. Shivendra Swaroop, AAG, Haryana.

ANIL KSHETARPAL, J(Oral)

This order shall dispose of the above-mentioned three appeals arising from the acquisition of the land in village Barara. Though the notification in the present case under Section 4 and 6 were respectively issued on 03.05.2012 and 17.12.2012 under the Land Acquisition Act, 1894 (hereinafter referred to as 'the 1894 Act'), however, the award was passed by the Land Acquisition Collector (hereinafter referred to as 'the LAC') after

01.01.2014 i.e. after the enforcement of The Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as 'the 2013 Act'). Thus, this acquisition will fall within the transitional period between the 1894 Act and the implementation of 2013 Act. Section 24(1)(a) of the 2013 Act shall apply in this case which provides that the determination of compensation shall be in accordance with the 2013 Act. Section 26 of the 2013 Act makes a departure from the manner of the assessment of the compensation from Section 23 of the 1894 Act. It has been pointed out that identical appeals arising out of the same notification have already been remitted back to the Reference Court (hereinafter referred to as 'the RC') vide order dated 10.05.2022 passed in **Regular First Appeal No.712 of 2021, titled as “State of Haryana and another Vs. Bina”.**

Ordered accordingly.

The parties through their learned counsels are directed to appear before the RC on 16.12.2022.

The RC is requested to decide the matter afresh after granting opportunity to the parties to file the supplementary pleadings and further evidence, if prayed for.

The RC is also requested to make sincere endeavour for the expeditious disposal of these cases.

All the pending miscellaneous applications, if any, are also disposed of.

November 18th, 2022

**(ANIL KSHETARPAL)
JUDGE**

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Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*