

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

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**RFA-4227-2019(O&M)
Date of decision: 07.09.2022**

SUKHDEV

..Appellant

Versus

STATE OF HARYANA AND ANOTHER

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Daljit Singh Virk, Advocate
Mr. Arpandeeep Narula, Advocate
Mr. Dheeraj Naruja, Advocate,
Mr. Amit Bansal, Advocate
for Mr. S.K. Jain, Advocate
Mr. Deepak Jain, Advocate
Mr. Akshay Jain, Advocate
Mr. Munish Kamboj, Advocate
Mr. Manvinder Singh Sidhu, Advocate
Mr. Sandeep Punchhi, Advocate
Mr. Ashok Verma, Advocate
Mr. Satbir Singh Gill, Advocate
Mr. P.S. Jammu, Advocate
Mr. Labhan Paul, Advocate
for Mr. Jagjit Singh Gill, Advocate
Mr. Kartar Singh, Advocate
Mr. M.M Pandey, Advocate
Mr. Sushil K. Verma, Advocate
Mr. Lal Singh Sandhu, Advocate
Mr. Mandeep Sandhu, Advocate
for Mr. Sanjiv Gupta, Advocate
Mr. G.S. Sidhu, Advocate
for the landowners.

Mr. Shivendra Swaroop, AAG, Haryana.

ANIL KSHETARPAL, J(Oral)

This order shall dispose of a batch of appeals arising from acquisition of the land in villages Mohmmadpuria, Nanuana, Fatehpuria and Kussar (details whereof are at the foot of the order). Though the notifications under Section 4 and 6 were issued 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.

The Right to Fair Compensation and Transparency in Land Acquisition,

Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as 'the 2013 Act') came into force with effect from 01.01.2014. Thus, these acquisitions will fall within the transitional period between the 1894 Act and the 2013 Act. Section 24(1)(a) of the 2013 Act shall apply 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. A reading of the various awards passed by the Reference Court (hereinafter referred to as 'the RC'), it is evident that the RC while passing the awards did not assess the amount in accordance with the 2013 Act. In **Regular First Appeal No.309 of 2021, titled as “State of Haryana and another Vs. Rajbir and another”, decided on 19.04.2022**, this Court has dealt with the aforesaid issue in detail. For the reasons stated in the aforesaid judgment, the awards passed by the RC in all these appeals shall stand set aside. The matter is remitted back to the RC for deciding afresh in accordance with the procedure prescribed under the 2013 Act.

With all these observations, the appeals are disposed of.

The parties through their counsel are directed to appear before the RC on 17.10.2022.

The RC is requested to decide the matter afresh after granting an 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 expeditious disposal of these cases.

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

September 07th, 2022

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**(ANIL KSHETARPAL)
JUDGE**

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

Sr. No.	Case No. and Party name
1.	RFA No.2465 of 2019 Karam Chand vs. State of Haryana and anr.
2.	RFA No.2466 of 2019 Ram Piari and ors. vs. State of Haryana and anr.
3.	RFA No.3122 of 2019 Parveen Kumar and anr. vs. State of Haryana and anr.
4.	RFA No.3123 of 2019 Parveen Kumar and anr. vs. State of Haryana and anr.
5.	RFA No.3227 of 2019 Rameshwar vs. State of Haryana and anr.
6.	RFA No.3765 of 2019 Bhan Singh (deceased) thr Lrs and ors. vs. State of Haryana and anr.
7.	RFA No.4180 of 2019 Balvinder Singh and anr. vs. State of Haryana and anr.
8.	RFA No.4181 of 2019 Kala Singh vs. State of Haryana and anr.
9.	RFA No.4276 of 2019 Nasib Kaur vs. State of Haryana and anr.
10.	RFA No.4277 of 2019 Om Parkash vs. State of Haryana and anr.
11.	RFA No.4278 of 2019 Hobni Bai and ors. vs. State of Haryana and anr.
12.	RFA No.2458 of 2018 Baldev Singh vs. State of Haryana and anr.
13.	RFA No.2459 of 2018 Shanti Devi @ Santo Devi and ors. vs. State of Haryana and anr.
14.	RFA No.2460 of 2018 Jasvinder Kaur vs. State of Haryana and anr.
15.	RFA No.2461 of 2018 Ranbir Singh and ors. vs. State of Haryana and anr.
16.	RFA No.2462 of 2018 Hakam Singh and ors. vs. State of Haryana and anr.
17.	RFA No.3237 of 2018 Gurdev Singh and anr. vs. State of Haryana and anr.
18.	RFA No.3238 of 2018 Amrik Singh vs. State of Haryana and ors.
19.	RFA No.3239 of 2018 Amrik Singh and ors. vs. State of Haryana and ors.
20.	RFA No.3410 of 2018 Gurdeep Singh vs. State of Haryana and ors.
21.	RFA No.3660 of 2018 Bhoma @ Bhoop Singh (deceased) thr Lrs. and ors. vs. State of Haryana and anr.
22.	RFA No.3774 of 2018 Dharam Pal (deceased) thr Lrs. vs. State of

	Haryana and ors.
23.	RFA No.4004 of 2018 Sabla Singh vs. State of Haryana and ors.
24.	RFA No.4005 of 2018 Sukhdev Singh vs. State of Haryana and ors.
25.	RFA No.4006 of 2018 Krishan Kumar and ors. vs. State of Haryana and ors.
26.	RFA No.4007 of 2018 Roora Ram and ors. vs. State of Haryana and ors.
27.	RFA No.21 of 2020 Ram Lal (deceased) thr Lrs and ors. vs. State of Haryana and ors.
28.	RFA No.298 of 2018 Ram Singh vs. State of Haryana and ors.
29.	RFA No.350 of 2018 Lalit Kumar vs. State of Haryana and ors.
30.	RFA No.1177 of 2018 Brij Lal and ors. vs. State of Haryana and anr.
31.	RFA No.1181 of 2018 Krishan Lal vs. State of Haryana and ors.
32.	RFA No.1183 of 2018 Dalip Kumar vs. State of Haryana and ors.
33.	RFA No.1272 of 2018 Darshan Singh and anr. vs. State of Haryana and anr.
34.	RFA No.1503 of 2018 Jasveer Singh and ors. vs. State of Haryana and ors.
35.	RFA No.1504 of 2018 Rajinder Kaur vs. State of Haryana and ors.
36.	RFA No.1505 of 2018 Lakhveer Kaur vs. State of Haryana and ors.
37.	RFA No.1812 of 2018 Hari Singh vs. State of Haryana and ors.
38.	RFA No.1850 of 2018 Nikku vs. State of Haryana and ors.
39.	RFA No.1851 of 2018 Roop Ram (deceased) thr Lr. vs. State of Haryana and ors.
40.	RFA No.1916 of 2018 Daler Singh (deceased) thr Lrs. and ors. vs. State of Haryana and anr.
41.	RFA No.1917 of 2018 Savitri Devi and anr. vs. State of Haryana and ors.
42.	RFA No.1918 of 2018 Munni Bai @ Munni Devi and ors. vs. State of Haryana and ors.
43.	RFA No.2086 of 2018 Balram and ors. vs. State of Haryana and ors.
44.	RFA No.2268 of 2018 Brij Lal vs. State of Haryana and anr.
45.	RFA No.3098 of 2018 Salochna vs. State of Haryana and anr.
46.	RFA No.3099 of 2018 Balram vs. State of Haryana and anr.

47.	RFA No.5255 of 2018 Bogha Singh and anr. vs. State of Haryana and ors.
48.	RFA No.44 of 2019 Kewal Singh and ors. vs. State of Haryana and ors.
49.	RFA No.608 of 2019 Ram Diyal @ Ram Dayal vs. State of Haryana and anr.
50.	RFA No.3625 of 2019 Jasma Devi (deceased) thr Lrs and ors. vs. State of Haryana and ors.
51.	RFA No.535 of 2020 Hari Ram (deceased) thr Lrs and ors. vs. State of Haryana and ors.
52.	RFA No.1289 of 2021 Anita vs. State of Haryana and ors.
53.	RFA No.55 of 2018 Sahab Ram and anr. vs. State of Haryana and ors.
54.	RFA No.56 of 2018 Laxman Singh vs. State of Haryana and ors.
55.	RFA No.344 of 2018 Godavari Devi vs. State of Haryana and ors.
56.	RFA No.343 of 2018 Parmeshwari Devi vs. State of Haryana and ors.
57.	RFA No.342 of 2018 Brij Lal and ors. vs. State of Haryana and ors.
58.	RFA No.1182 of 2018 Jitender Kaur vs. State of Haryana and ors.
59.	RFA No.1430 of 2018 Savitri vs. State of Haryana and ors.
60.	RFA No.1431 of 2018 Gurdas Ram and anr. vs. State of Haryana and ors.
61.	RFA No.1432 of 2018 Sultan and anr. vs. State of Haryana and ors.
62.	RFA No.1433 of 2018 Mahender vs. State of Haryana and ors.
63.	RFA No.1435 of 2018 Chhotu and anr. vs. State of Haryana and ors.
64.	RFA No.1434 of 2018 Birbal @ Beeru (deceased) thr Lrs and anr. vs. State of Haryana and ors.
65.	RFA No.1464 of 2018 Savitri Devi and ors. vs. State of Haryana and ors.
66.	RFA No.1465 of 2018 Kalu Ram vs. State of Haryana and ors.
67.	RFA No.1466 of 2018 Mohinder vs. State of Haryana and ors.
68.	RFA No.1467 of 2018 Mahender Singh and anr. vs. State of Haryana and ors.
69.	RFA No.1468 of 2018 Jot Ram (deceased) thr Lrs and ors. vs. State of Haryana and ors.
70.	RFA No.3039 of 2018 Moman Ram vs. State of Haryana and ors.
71.	RFA No.5209 of 2018 Hari Ram and ors. vs. State of Haryana and

	ors.
72.	RFA No.5281 of 2018 Subhash and ors. vs. State of Haryana and ors.
73.	RFA No.5282 of 2018 Parvati Devi (deceased) thr Lrs. and ors. vs. State of Haryana and ors.
74.	RFA No.5283 of 2018 Mukh Ram (deceased) thr Lrs. vs. State of Haryana and ors.
75.	RFA No.4227 of 2019 Sukhdev vs. State of Haryana and anr.

(ANIL KSHETARPAL)
JUDGE