

RFA-1623-2017 (O&M)

and other connected cases

-1-

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

209

**RFA-1623-2017(O&M)
and other connected cases
Date of Order: 10.02.2022**

DEVINDER SINGH

..Appellant

Versus

STATE OF HARYANA AND ANOTHER

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Deepak Sharma, Advocate
Ms. Aparna Singhal, Advocate
Mr. Gaurav Sethi, Advocate
Mr. Bhag Singh, Advocate
Mr. Sanjay Jain, Advocate
Mr. Jasmer Chand, Advocate
Mr. Sunil K. Tandon, Advocate
Mr. Ishan S. Cooner, Advocate
for the landowners.

Mr. Shivendra Swaroop, AAG, Haryana.
Ms. Vibha Tewari, AAG, Haryana.

ANIL KSHETARPAL, J(Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

Some relevant particulars, with regard to both the acquisitions, are as mentioned below:-

The Ist Acquisition (For developing Sector 23):-

- i) 28.02.2006- Notification U/s 4 of the 1894 Act proposing to acquire the land in the villages, namely Jandli (165.13 acres), Kanwli (50.45 acres), Saunda (33.91 acres) and Sarai Mehdood (3.86 acres) for developing a residential and commercial colony, namely Sector 23 by the

Haryana Urban Development Authority, Haryana (hereinafter referred to as “the HUDA”) was issued.

- ii) 27.02.2007 -The notification under Section 6 of the 1894 Act was issued.
- iii) 03.03.2009- Award No. 4 with respect to 87.55 acres of land was announced, while offering to pay, to the landowners of village Jandali, an amount @ ₹10,00,000/- per acre, whereas the landowners of the acquired land of the villages, namely Kanwli, Saunda and Sarai Mehdood, were offered an amount @ ₹8,00,000/- per acre.
- iv) 29.08.2014:- The RC, in the first round, assessed the market value of the acquired land @ ₹ 2,950/- per square yard vide judgment dated 29.08.2014. Accordingly, the per acre price works out to ₹1,42,78,000/-.
- v) 28.10.2016:- The date of re-decision, after remand, by the RC.

The Second Acquisition(For developing Sector 22):-

- i) 20.07.2006: The notification U/s 4 of the 1894 Act was issued proposing to acquire the land of villllages- Kanwla, Kanwali, Jandli and Sarai Mehdood for developing Sector 22 by the HUDA.
- ii) 19.07.2007: The declaration under Section 6 of the 1894 Act was issued.
- iii) 17.07.2009: The LAC vide award No. 3 dated 17.07.2009 offered to pay, to the landowners of village Jandali, an amount @ ₹10,00,000/- per acre, whereas the landowners of the acquired land of the villages, namely

Kanwla, Kanwali and Sarai Mehdood were offered an amount @ ₹8,00,000/- per acre.

- iv) 24.04.2012: In the first round, the RC assessed the market value of the acquired land on the date of the notification under Section 4 of the 1894 Act @ ₹499/- per square yard, vide judgment dated 24.04.2012. Accordingly, the per acre price works out to ₹24,15,160/-
- v) 09.11.2016, 25.03.2019 & 16.04.2021: The date of re-decision, after remand, by the RC in different batches vide judgments dated 09.11.2016, 25.03.2019 & 16.04.2021.

The learned counsel representing the parties are *ad idem* that these appeals can be disposed of in terms of judgment passed in **RFA-484-2021**, titled as **“State of Haryana and another Vs. Baljinder Kaur”**.

Hence, ordered accordingly.

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

February 10th, 2022

Ay

(ANIL KSHETARPAL)
JUDGE

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