

301 (6 cases) **IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

1. **RFA-5-2023**
Decided on:-31.08.2023

Laxmi Narayan (deceased) thr. his LRs and ors.Appellants.

VS.

State of Haryana and othersRespondents.

2. **RFA-10-2023**

Bhajju @ Bhajan Lal and ors.Appellants.

VS.

State of Haryana and othersRespondents.

3. **RFA-23-2023**

Kripa and ors.Appellants.

VS.

State of Haryana and othersRespondents.

4. **RFA-89-2023**

Parkash @ Om Parkash and ors.Appellants.

VS.

State of Haryana and othersRespondents

5. **RFA-93-2023**

Ratan Chand and ors.Appellants.

VS.

State of Haryana and othersRespondents.

6. **RFA-94-2023**

Budhram and ors.Appellants.

VS.

State of Haryana and othersRespondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Bhunesh Lakhera, Advocate,
for the appellant(s).

Mr. Abhinash Jain, DAG, Haryana,
for respondent-State.

Mr. P.S. Saini, Advocate,
for respondent-HSIIDC.

HARKESH MANUJA J. (Oral)

1. This judgment shall dispose of, aforementioned 06 appeals wherein similar facts and controversy are involved. For reference, facts are taken from RFA-5-2023.

2. In the present case, land owned by the appellants situated in the revenue estate of village Asalwas, Tehsil and District Rewari, was acquired vide notification No.32/11/2008-4IB-1 dated 31.10.2008, issued under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as “1894 Act”), followed by notification No.32/11/2008-4-IB-1 dated 08.07.2009, under Section 6 of the Act, for the public purpose of extension of Industrial Growth Centre, Bawal. Vide award No.9 dated 22.03.2010, the Land Acquisition Collector, fixed the market value of the acquired land situated in village Asalwas at the rate of Rs.16,00,000/- per acre, besides other statutory benefits.

3. Aggrieved thereof, the appellants preferred separate references under Section 18 of the 1894 Act, seeking enhancement of compensation, which were finally determined by reference Court vide judgment dated 14.10.2021 by fixing the market value of the acquired land situated at Village Asalwas at the rate of Rs.39,49,248/- per acre, besides grant of other

statutory benefits.

4. Dissatisfied with the aforesaid judgment dated 14.10.2021, the appellants have preferred the present appeal for enhancement of compensation.

5. At the outset, learned counsel for the parties are ad idem that the matter in issue is squarely covered by the decision dated 27.09.2022 rendered by this Court in RFA-494-2022 (O&M), titled as "**HSI IDC vs. Babu Lal and others**" and other connected matters, wherein also the land situated in the same revenue estate of Villages Deodhai, Asalwas, Karnawas, Bagthala, Patuhera, Banipur, Suthni, Rudh and Bawal, District Riwari, was acquired vide notifications dated 31.10.2008 and 08.07.2009 issued under Sections 4 and 6 of the Land Acquisition Act, 1894 respectively, for the purpose of extension of Industrial Growth Centre, Bawal. The relevant part of the judgment dated 27.09.2022 reads as under:-

"6.1 Keeping in view the aforesaid facts, the award passed by the LAC offering Rs.16,00,000/- per acre to the landowners whose land is located beyond the depth of two acres from the National Highway on both sides is upheld and the award of the RC with respect to such landowners is set aside, whereas, the assessment of the RC with respect to the remaining land which is located upto the depth of 2 acres from the National Highway-8 is modified. Accordingly, the market value for the landowners whose land is located on the National Highway upto the depth of two acres is assessed @Rs.63,77,623/- per acre."

6. Accordingly, above mentioned appeals filed at the instance of appellants-landowners are disposed of in terms of the above mentioned decision dated 27.09.2022, passed in the case of **Babu Lal's** case (supra) and

the appellants are held entitled for similar market value @ Rs.63,77,623/- per acre along with all statutory benefits and interest available under the amended Land Acquisition Act, 1994.

7. Pending miscellaneous applications, if any, in which no separate orders have been passed, stand disposed of accordingly.

31.08.2023

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(HARKESH MANUJA)
JUDGE

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