

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

(223)

RFA No.2636 of 2016 (O&M)

Date of Decision: 19.07.2023

Munshi Ram

...Appellant

Versus

State of Haryana and Ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Kamal Kumar Mor, Advocate, for the appellant

Mr. Shivendra Swaroop, DAG, Haryana.

HARKESH MANUJA, J.(ORAL)**CM-647-CI-2023**

1. This is an application for placing on record Annexure P-1 and exemption from filing the certified copy thereof.

2. Application allowed as prayed for subject to all just exceptions.

Document Annexure P-1 is taken on record.

RFA No.2636 of 2016 (O&M)

1. In the present case, land owned by the appellant situated in the revenue estate of village Dhankot, Tehsil and District Gurgaon, was acquired vide notification No.LAC (G) 2010/NTLA/1533 dated 13.01.2010, issued under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the Act"), for the purpose of development and utilization of land for the roads of Sector 99 to 115 at Gurgaon.

2. Aggrieved thereof, the appellant preferred reference under Section 18 of the Act, which came to be dismissed vide order dated 17.08.2013 by the Court of learned Additional District Judge, Gurgaon. Impugning the same, the appellants have preferred the present appeal.

3. Learned counsel for the parties are *ad idem* that the matters pertaining to the same acquisition/notification covering the same revenue

estate i.e. village Dhankot filed at the instance of few other land-owners came up before this Court which was disposed of vide judgment dated 23.10.2019 in **RFA No.7185 of 2013 titled Subhash Kumar Vs. State of Haryana and others**, whereby they have already been held entitled for the enhanced amount of compensation pertaining to village Dhankot from Rs.2,55,00,000/- to Rs.3,08,55,000/- per acre vide judgment dated 03.10.2019 though, it was latter challenged before the Hon’ble Supreme Court but the same was dismissed vide order dated 07.01.2021. The relevant para of the same is reproduced hereunder:

“12 Accordingly, 10% cumulative increase is granted on Rs.2,55,00,000/- for the intervening period of 2 years, whereby the market value would work out @ Rs.3,08,55,000/- per acre alongwith all statutory benefit.

Based upon the above, applying the principle of parity, the land owners/applicants being similarly situated are held entitled for grant of similar amount of compensation as has been awarded by this Court in **Subhash Kumar’s case (supra)**, besides all other statutory benefit and interest thereupon as provided under the Land Acquisition Act, 1894, except interest for the period the appellants did not approach this Court after passing of reference Court award.

4. In view of the aforesaid discussion, the controversy being squarely covered with the aforesaid judgment, therefore, the present appeal is disposed of in the same terms as based on the agreed stand taken by both sides.

(HARKESH MANUJA)
JUDGE

19.07.2023
anil

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