

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

1. RFA-5066-2017 (O&M)
Date of decision: 27.01.2023

RAJESH KUMAR & ANR. ..Appellants

Versus

STATE OF HARYANA AND ORS. ..Respondents

2. RFA-8520-2018 (O&M)

STATE OF HARYANA AND ORS. ..Appellants

Versus

SULTAN SINGH AND ORS. ..Respondents

3. RFA-5533-2017 (O&M)

DATA RAM ..Appellant

Versus

STATE OF HARYANA AND ORS. ..Respondents

4. RFA-829-2018 (O&M)

STATE OF HARYANA & ANR. ..Appellants

Versus

DESH RAJ AND ORS. ..Respondents

5. RFA-2367-2018 (O&M)

STATE OF HARYANA & ANR. ..Appellants

Versus

MAM CHAND AND ORS. ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajiv Sharma, Advocate
Mr. Arjun Atri, Advocate
for the landowners.

Mr. Shivendra Swaroop, AAG, Haryana.

ANIL KSHETARPAL, J.

1. **Introduction and background:**

1.1 This batch of appeals has been filed by the landowners as well as the State of Haryana with a prayer to modify the awards passed by the Reference Court (hereinafter referred to as “the RC”) on 06.01.2017 and 01.03.2017. The notifications under Section 4 and 6 of the Land Acquisition Act, 1894 (hereinafter referred to as “the 1894 Act”) and the awards passed by the Land Acquisition Collector (hereinafter referred to as “the LAC”) as well as by the RC are common. The learned counsel representing the respective parties are *ad idem* that these appeals can conveniently be disposed of by a common judgment.

1.2 The relevant particulars of this batch of appeals, in brief, are as under:

Sr. No.	Particulars	Relevant Date
1.	Date of Notification under Section 4 of the 1894 Act.	11.02.2011
2.	Date of Notification under Section 6 of the 1894 Act.	10.02.2012
3.	Purpose of Acquisition.	For the development and utilization of the land of Sectors 7, 8 and 11, Tauru, District Mewat.
4.	Location, area and nature of the acquired land	302.75 acres.
5.	Number and Date of the Award of the LAC.	No. 25 dated 22.10.2013 assessed the market value of the acquired land in the following manner:- 1. ₹45,00,000/- per acre along with 30% solatium, additional amount @ 12% per annum for the acquired land measuring 2057 kanals. 2. ₹54,00,000/- per acre for the land measuring 113 kanals and 9 marlas. 3. ₹56,25,000/- per acre for the

		land measuring 251 kanals and 11 marlas.
6.	Date of the judgments of the Reference Court.	06.01.2017 and 01.03.2017
7.	The market value assessed by the RC.	The RC has enhanced the market value to ₹92,62,500/- per acre, apart from statutory benefits. The various individual landowners have also been held entitled to compensation for structure as well as trees.

2. **Discussion and analysis:**

2.1 This Bench has heard the learned counsel representing the parties at length and with their able assistance perused the paperbook along with the requisitioned record.

2.2 It may be noted here that the RC at the first stage decided as many as 146 reference petitions by a consolidated award in Chiranji Vs. State of Haryana, decided on 06.01.2017. In fact, the entire evidence was also led in the aforesaid case. Subsequently, another batch of reference petitions were disposed of by assessing the market value in Sri Bhagwan Vs. State of Haryana, decided on 01.03.2017. The Regular First Appeals arising from all these batches were decided by a detailed judgment passed in **Regular First Appeal No.2352 of 2017, titled as “Smt. Krishna Jindal Vs. State of Haryana and others”, decided on 23.08.2022.** However, inadvertently, these appeals which are squarely covered by the aforesaid judgment were inadvertently left out. As already noticed, the evidence has been led either in the case of **Sri Bhagwan (supra)** or **Chiranji Lal (supra)**. A bare look at the awards passed by the RC, it is evident that these cases were also decided along with batch of cases in **Chiranji Lal's case (supra)** and **Sri Bhagwan's case (supra)**. The entire evidence was led in the

aforesaid two lead cases decided by the RC.

3. Decision

3.1 Keeping in view the aforesaid facts, this batch of appeals are disposed of in terms of judgment passed in **Regular First Appeal No.2352 of 2017, titled as “Smt. Krishna Jindal Vs. State of Haryana and others”, decided on 23.08.2022.**

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

27th January, 2023
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No