

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CM-421-CI-2024 in/and
RA-RF-10-2024 (O&M)
in
RFA-4155-2017

Date of Order: 19.04.2024

Dharam Singh (deceased) through LRs and others

.. Applicant-Appellants

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jivesh Malik, Advocate,
for the applicant-appellants.

Mr. J.S.Pannu, AAG, Haryana.

Mr. Pritam Singh Saini, Advocate with
Ms. Vamika Johar, Advocate
for HSIIDC.

ANIL KSHETARPAL, J(Oral)

CM-421-CI-2024 in RA-RF-10-2024

For the reasons stated in the application, delay of 359 days in
filing the review application, is condoned.

CM stands allowed.

RA-RF-10-2024

1. This order shall dispose of 38 review applications (details
whereof are at the foot of the judgment) filed by the land owners.

2. By a detailed judgment dated 13.05.2022, a batch of connected Regular First Appeals was disposed of while assessing the market value of the acquired land as on 11.01.2010, the date of notification under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the '1894 Act') in village Baliyana, Tehsil and District Rohtak. The land owners filed Special Leave to Appeal before the Hon'ble Supreme Court, which was permitted to be withdrawn with liberty to file Review Application on 28.11.2022 with the following order :-

“Upon our expressing reservations in entertaining these petitions, learned senior counsel for the petitioners, on instructions, seeks permission to withdraw these petitions at this stage with liberty for the petitioners in taking recourse to appropriate remedies in accordance with law.

Permission granted.

The application seeking permission to file special leave petitions is dismissed as withdrawn with liberty, as prayed, including to file review petition before the High Court.

However, it is made clear that we have not made any comments as regards the maintainability and/or sustainability of any such other remedy or recourse by the petitioners, that shall be examined in the appropriate forum in accordance with law.”

3. Heard learned counsel representing the parties at length.

4. Learned counsel representing the applicant(s) has submitted that the allotment of 700 acres of land by HSIIDC to M/s Maruti Suzuki India Ltd. @ Rs. 75 Lakhs vide allotment letter dated 13.08.2009 has not been adverted to while deciding the appeals. On a Court question, learned

counsel representing the applicant(s) admit that the aforesaid allotment letter was never produced in evidence. In such circumstances, this Court was only required to refer to the evidence which was brought on record. The landowners had produced as many as seven sale deeds, whereas the State of Haryana had produced as many as five sale deeds. All exemplar sale deeds were examined and analysed and discussed by the Court. However, learned counsel representing the applicant(s) submit that while deciding RFA-4163-2017 (Haryana State Industrial & Infrastructure Development Corporation Vs. Kulbir and others), on 01.09.2021, this Court has examined the allotment letter in favour of Maruti Suzuki India Ltd., the aforesaid case arose from acquisition of land of village Baliyana.

5. This Court has considered the submissions, in fact, in the aforesaid cases arose from a different notification and the allotment letter was produced in evidence and examined. However, as previously noted, the landowners never produced the allotment letter either before the reference Court or before this Court, hence, there was no occasion to examine the same.

6. In any case, the allotment letter issued by HSIIDC in favour of Maruti Suzuki India Ltd. is an area which is a planned for establishing a industrial sector, whereas the acquired land was the agriculture land. The Maruti Suzuki on being allotted land in planned area was assured access of basic amenities, like availability of connectivity road, electricity, water supply and other related facilities. Hence, the allotment letter in favour of Maruti Suzuki India Ltd. is not a good exemplar to assess the market value of undeveloped agriculture land. Hence, no ground to review is made out.

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

19.04.2024
Satyawar

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

<i>Sr. No.</i>	<i>REVIEW APPLICATION NOS.</i>	<i>Party Name</i>
1	RA-RF-18-2024 in RFA-3894-2017	Yashpal and Others vs State of Haryana and Others
2	RA-RF-22-2024 in RFA-3895-2017	Ram Chander and Others vs State of Haryana and Others
3	RA-RF-24-2024 in RFA-3896-2017	Mauji and Others vs State of Haryana and Others
4	RA-RF-37-2024 in RFA-3897-2017	Kuljeet Singh and Others vs State of Haryana and Others
5	RA-RF-46-2024 in RFA-3898-2017	Om Narain (Deceased) through his LRs and Others vs State of Haryana and Others
6	RA-RF-25-2024 in RFA-3899-2017	Har Kishan and Others vs State of Haryana and Others
7	RA-RF-47-2024 in RFA-3924- 2017	Ompati vs State of Haryana and Others
8	RA-RF-14-2024 in RFA-3925-2017	Jagbir Singh vs State of Haryana and Others
9	RA-RF-17-2024 in RFA-3926-2017	Mohjit Singh vs State of Haryana and Others
10	RA-RF-26-2024 in RFA-3927- 2017	Rajpal vs State of Haryana and Others
11	RA-RF-13-2024 in RFA-3928-2017	Raj Kumar vs State of Haryana and Others
12	RA-RF-28-2024 in RFA-3929-2017	Narayan vs State of Haryana and Others

<i>Sr. No.</i>	<i>REVIEW APPLICATION NOs.</i>	<i>Party Name</i>
13	RA-RF-15-2024 in RFA-3930-2017	Smt. Murti Devi vs State of Haryana and Others
14	RA-RF-21-2024 in RFA-3931-2017	Murti Devi vs State of Haryana and Others
15	RA-RF-36-2024 in RFA-3955-2017	Sultan (Deceased) through his LRs and Another vs State of Haryana and Others
16	RA-RF-44-2024 in RFA-3956- 2017	Sultan (Deceased) through his LRs and Another vs State of Haryana and Others
17	RA-RF-43-2024 in RFA-3957-2017	Sultan (Deceased) through his LRs and Another vs State of Haryana and Others
18	RA-RF-23-2024 in RFA-3958-2017	Kaptan vs State of Haryana and Others
19	RA-RF-38-2024 in RFA-4006- 2017	Shri Chand (Deceased) through his LRs and Others vs State of Haryana and Others
20	RA-RF-12-2024 in RFA-4147-2017	Ompati vs State of Haryana and Others
21	RA-RF-45-2024 in RFA-4148-2017	Ompati vs State of Haryana and Others
22	RA-RF-20-2024 in RFA-4149-2017	Rajpal and Others vs State of Haryana and Others
23	RA-RF-42-2024 in RFA-4150-2017	Rajender and Others vs State of Haryana and Others
24	RA-RF-40-2024 in RFA-4151-2017	Rajender and Others vs State of Haryana and Others
25	RA-RF-31-2024 in RFA-4153-2017	Satyawan vs State of Haryana and Others
26	RA-RF-16-2024 in RFA-4154-2017	Satbir and Others vs State of Haryana and Others
27	RA-RF-41-2024 in RFA-4156-2017	Ranbir and Another vs State of Haryana and Others
28	RA-RF-30-2024 in RFA-4606-2017	Dharampal vs State of Haryana and Others
29	RA-RF-32-2024 in RFA-4607-2017	Sanjeet vs State of Haryana and Others
30	RA-RF-39-2024 in RFA-4608-2017	Parkash vs State of Haryana and Others

<i>Sr. No.</i>	<i>REVIEW APPLICATION NOS.</i>	<i>Party Name</i>
31	RA-RF-29-2024 in RFA-4609-2017	Dharambir Singh vs State of Haryana and Others
32	RA-RF-11-2024 in RFA-4952-2017	Dharam Singh and Others vs State of Haryana and Others
33	RA-RF-27-2024 in RFA-5060-2017	Anoop and Others vs State of Haryana and Others
34	RA-RF-33-2024 in RFA-5313-2017	Satyavir and Others vs State of Haryana and Others
35	RA-RF-19-2024 in RFA-5314-2017	Satyavir and Others vs State of Haryana and Others
36	RA-RF-35-2024 in RFA-5455- 2017	Surinder Singh and Others vs State of Haryana and Others
37	RA-RF-34-2024 in RFA-144- 2018	Bani Singh (Deceased) through LRs and Others vs State of Haryana and Others

19.04.2024

(ANIL KSHETARPAL)
JUDGE