
(2013) 07 P&H CK 0328

In the Punjab And Haryana At Chandigarh

Case No : Regular First Appeal No. 4538 of 2007 (O and M)

Pawan Kumar

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 25-07-2013

Acts Referred:

Land Acquisition Act, 1894 — Section 4, 6

Citation : (2013) 07 P&H CK 0328

Hon'ble Judges : Rajesh Bindal, J

Bench : Single Bench

Advocate : Sanjay Verma, for the Landowners in RFA No. 5377 and 5378 of 2012 and Mr. Sandeep Goyal in RFA No. 3515 of 2013, for the Appellant; D.D. Gupta, Additional Advocate General, Haryana, for the Respondent

Final Decision : Dismissed

Judgement

Rajesh Bindal, J.—This order will dispose of RFA Nos. 4538 of 2007, 4066, 5377, 5378, 6296 of 2012, 1926, 2579, 2580 and 3515 of 2013, as the same arise out of common acquisition. The landowners are in appeal before this court against the award of the learned court below seeking enhancement of compensation for the acquired land.

2. Briefly, the facts are that vide notification dated 9.8.2002, issued u/s 4 of the Land Acquisition Act, 1894 (for short, "the Act"), the State of Haryana sought to acquire land situated within the revenue estate of village Patti Kaisth Seth, Tehsil and District Kaithal, for commercial, residential and institutional Sector-21, Kaithal. Notification u/s 6 of the Act was issued on 8.8.2003. The Land Acquisition Collector (for short, the Collector) assessed the market value of the acquired land @ Rs. 5,00,000/- per acre. Dissatisfied with the award of the Collector, the landowners filed objections. On reference, the learned court below determined the market value of the acquired land @ Rs. 350/- per square yard. In some cases, the compensation was assessed @ Rs. 280/- per square yard. The landowners are now in appeals seeking further enhancement of

compensation.

3. Learned counsel for the parties did not dispute the fact that the issue raised in the present set of appeals is squarely covered by judgment of this court in R.F.A. No. 254 of 2008 - Parveen Kumari vs. State of Haryana and others, decided on 4.4.2011, whereby this court upheld the award of the Collector and assessed the compensation @ Rs. 280/- per square yard for the acquired land. Since this court had determined the compensation @ Rs. 280/- per square yard, the claim made in the present appeals for further enhancement does not survive. As there is no merit in the appeals, the accompanying applications are also dismissed.