
(2011) 03 P&H CK 0638

In the Punjab And Haryana At Chandigarh

Case No : Regular First Appeal No. 1393 of 2011 (O and M)

State of Hayana and Another

APPELLANT

Vs

Vijay Singh and Others

RESPONDENT

Date of Decision : 18-03-2011

Acts Referred:

Land Acquisition Act, 1894 — Section 18, 4, 6

Citation : (2011) 03 P&H CK 0638

Hon'ble Judges : Rajesh Bindal, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Rajesh Bindal, J.—The State of Haryana has filed the present appeal seeking reduction of compensation awarded to the landowners for the acquired land.

2. Briefly the facts of the case are that the State of Haryana vide notification dated 25.2.2005 issued u/s 4 of the Land Acquisition Act, 1894 (for short, "the Act"), sought to acquire land situated in village Baruwali-II, Tehsil and District Sirsa for construction of Mangala Direct Minor Extension. The same was followed by notification issued u/s 6 of the Act. The Land Acquisition Collector (for short, "the Collector") assessed the market value of the acquired land @ Rs. 5,00,000/- per acre vide award dated 2.5.2006. Dissatisfied with the awards of the Collector, the landowners filed objections. On reference u/s 18 of the Act, the learned court below vide award dated 30.7.2010, assessed the market value of the acquired land @ Rs. 7,21,500/- per acre. It is this award which is impugned by the State before this Court.

3. Learned State counsel did not dispute the fact that the issue raised in the present appeal is squarely covered by judgment of this Court in RFA No. 276 of 2009 Mohinder Singh and Ors. v. State of Haryana and Ors., decided on 3.2.2011, whereby the award of the learned court below assessing compensation for the acquired land @ Rs. 8,00,000/- per acre was upheld.

4. Accordingly, for the reasons recorded in Mohinder Singh's case (supra), the appeal is dismissed. Consequently the application for condonation of delay in refiling the appeal is also dismissed.