## IN THE HIGH COURT FOR THE STATES OF PUNJAB AND

HARYANA AT CHANDIGARH

R.F.A. No. 4449 of 2015

Dr. Rajiv Marwah

... Appellant

Versus

State of Haryana and others

...Respondents

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5	Power of attorney	22.06.2015	27	3-90
	Total Court Fee			106.00

Note: i) Caveat if any:

NIL

ii) Similar Case if any:

NIL

CHANDIGARH

DATED: 29.06.2015

COUNSEL FOR THE APPELLANT(S)

ENRL. NO. P-588-2012

## IN THE HIGH COURT FOR THE STATES OF PUNJAB AND

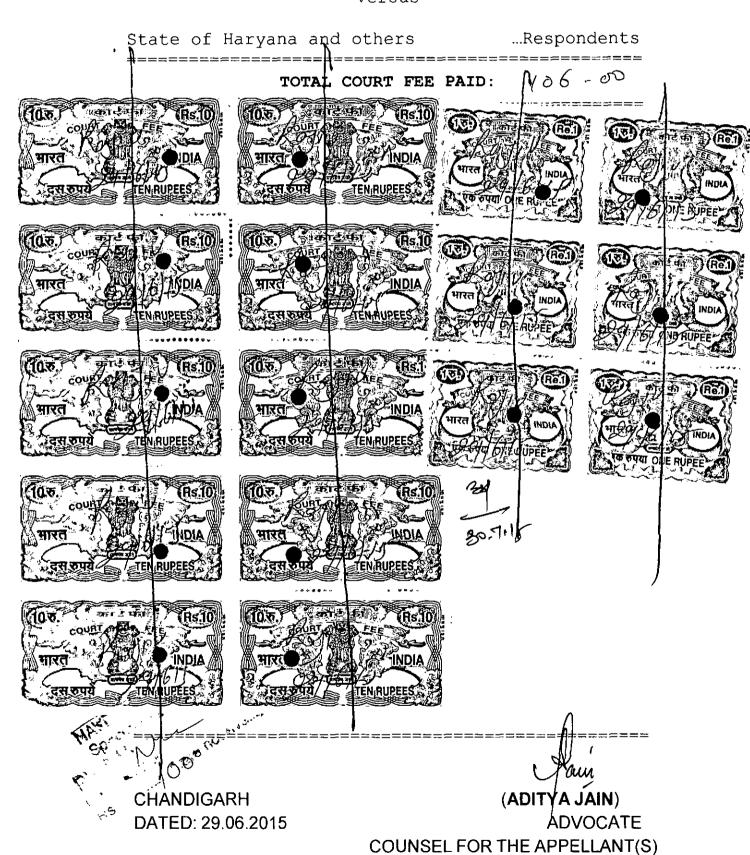
#### HARYANA AT CHANDIGARH

R.F.A. No. 4449 of 2015

Dr. Rajiv Marwah

... Appellant

Versus



3015/HC(Chd.)—Govt. Press, U.T., Chd.

#### OPENING SHEET OF CIVIL REVISIONS

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

#### JUDICIAL DEPARTMENT

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#### GROUNDS OF APPEAL:

- 1. That the impugned award dated 21.05.2015 passed by the learned Additional District Judge, Gurgaon is erroneous and thus, unsustainable in the eyes of law as well as on facts and as such the same is liable to be suitably modified by this Hon'ble Court in exercise of the appellate jurisdiction. However, before giving the grounds assailing the said award, the brief facts of the instant acquisition proceedings leading to the passing of the impugned award deciding reference petition are given herein below:-
- 15.04.2011 Vide notification no. LAC (G) NTLA-2011/ 1615 under section 4 of the Act, acquired land measuring 13.175 acres situated within the revenue estate of village Ghata, Hadbasat No.81 Tehsil Sohna and District Gurgaon at public expenses for public purpose namely for the development and utilization of land for 30 Meter Road Widening & Meter Green Belt along Southern Periphery road at Gurgaon.

10.04.2012 A follow-up declaration vide notification no. LAC(G)-NTLA/2012/2776 under Section 6 of the said Act was issued.

27.02.2003 Vide Award No.43, the Land Acquisition Collector, Gurgaon, assessed the compensation in respect of said acquired land to the land owners @ Rs. 1,50,00,000/-per acre.

Feeling aggrieved by the said award, the landowners reference petitions under Section 18 of the Act on averments, interalia pleading that the acquired land has been greatly undervalued and while giving award, Collector has not taken into consideration location, value and situation of the land. The Land Acquisition Collector has erred in determining the market value of the acquired land and has awarded compensation at a very low rate.

The acquired land is located adjacent to private developers i.e. DLF, Unitech, Ansal, BPTP, Aardee City, SS Group etc. The prevailing market rate of the land in question is not less than Rs.25 crores per acre. The developers are selling the land for more than Rs.1 lac per sq. yard. It is submitted that HUDA has already developed sectors 44, 45, 46, 51, 52, 38, 39 surrounding the acquired land. The private developers have already developed many residential colonies Malibu Towne, South City, Ardee Mayfield Garden, South Uppal End, Sushant Lok apart from various schools, Hospitals, MNCs etc within revenue estate of village Ghata. The land in question situated in the heart of Millennium city of Gurgaon, fully developed with all the amenities like roads, sewer, electricity, water supply,

telephone etc. and is suitable for use like residential, any commercial, institution etc without any development but the Land Acquisition Collector has miserably failed to take into consideration its potential value and announced award far below the than prevailing market price. The national capital of Delhi is hardly 2 km away and NH8 is hardly away from the acquired land. The acquired land is hardly 8km away the Indira International Airport. The acquired land has great potential value. The market value of the land was not less than Rs.25 crore per acre at of notification the time section 4 of the Act. The present acquisition came to the knowledge of the petitioner only in the month of February, 2013 and thereafter which he received the award amount 8.2.2013, therefore on

appellant preferred claim petition under Section 18 of the Act before District Judge, Gurgaon for enhancement of the compensation. In view of the said circumstances, compensation is required to be enhanced to the tune of Rs.25 crore per acre alongwith all other statutory benefits.

21.05.2015 Vide the impugned award, learned Addl. District Judge, Gurgaon assessed the market value of the said acquired land @ Rs.6338/- per square yard irrespective of the nature of the land besides other statutory benefits.

#### GROUNDS OF APPEAL: -

1. That the appellant was owner of land situated with the revenue estate of village Ghata, Tehsil and Distt. Gurgaon.

- That the State of Haryana acquired the 2. aforesaid land vide notification no. LAC (G) NTLA-2011/ 1615 dated 15.4.2011 under section 4 of the Act followed by another notification no. LAC(G)-NTLA/2012/2776 dated 10.4.2012 under Section 6 of the Act, acquired land measuring 13.175 acres situated within the revenue estate of village Ghata, Hadbasat No.81 Tehsil Sohna and District Gurgaon at public expenses public purpose namely for the development and utilization of land for 30 Meter Road Widening & 30 Meter Green Belt along Southern Periphery road at Gurgaon.
- 3. That the appellant examined himself as PW1 who tendered his affidavit Ex.PW1/A and also examined Ramesh Kumar Patwari as PW2 and placed reliance upon the documents Ex.P1- Jamabandi for the year 2001-2002, Ex.P2- Kabja Vasul, Ex.P3-sale deed No. 5041 dated 15.2.2008, Ex.P4- Sale deed No. 7034 dated 27.2.2007, Ex.P5- Sale deed No. 7254 dated 12.3.2007, Ex.P6- Sale deed No. 2261 dated 17.7.2006, Ex.P7- certified copy of award dated 30.10.2013, Ex. PW2/A & Ex.PW2/B copy of Kabja Vasul.

- That the Ld. Reference Court has erred 4. in not taking into consideration in its true and right perspective the evidence produced by the co-landowners of the appellant, although having observed that the fact cannot be denied that the above sale deeds are quite proximate in location to the acquired land but the same cannot be held as proximate in time to the acquired land and has thus, illegally and arbitrarily brushed aside the most relevant and cogent evidence brought and duly proved on record while passing the impugned award granting grossly inadequate and meager compensation. Hence, the impugned award is liable to be suitably modified.
- That acquired land has great potential value and is situated within the best location of district Gurgaon. The acquired land is located adjacent to private developers i.e. DLF, Unitech, Ansal, BPTP, Aardee City, SS Group etc. The prevailing market rate of the land in question is not less than Rs.25 crores per acre. The developers are selling the land for more than Rs.1 lac per sq. yard. It is submitted that HUDA has already developed sectors 44, 45, 46,

51, 52, 38, 39 surrounding the acquired land. The private developers have already developed many residential colonies Malibu Towne, South City, Ardee City, Mayfield Garden, South Uppal End, Sushant Lok apart from various schools, Hospitals, MNCs etc within the revenue estate of village Ghata. The land in question is situated in the heart of the Millennium city of Gurgaon, fully developed with all the basic amenities like roads, sewer, electricity, water supply, telephone etc. and is suitable for any use like residential, commercial, institution etc without but the Land Acquisition development Collector has miserably failed to take consideration its potential value and announced the award far below than the prevailing market price. The national capital of Delhi is hardly 2 km away and NH8 is hardly 1km away from the acquired land. The acquired land is hardly 8km away from Indira Gandhi the International Airport. The acquired land has great potential value. The market value of the land was not less Rs.25 crore per acre at the time of notification under section 4 of the Therefore, the appellant craves kind indulgence of this Hon'ble Court for enhancement of compensation at the rate as prayed for along with all other statutory benefits as well.

- 6. That the appellant was owner in possession of the land situated in the revenue estate of Ghata, Tehsil and District Gurgaon which has been notified for acquisition for the development and utilization of land for 30 Meter Road Widening & 30 Meter Green Belt along Southern Periphery road at Gurgaon.
- 7. That the appellant submits that land sought to be acquired has been greatly undervalued by the learned reference court and has granted less compensation. The learned reference court has completely overlooked and ignored the potential of the land sought to be acquired.
- 8. That the acquired land is situated in the heart of posh residential, commercial and industrial sectors and colonies of Gurgaon. The acquired land is in close proximity to the said sectors and colonies developed by reputed

builders and developers. The acquired land is a part and parcel of well known Gurgaon city which has a name for itself not only in India but also abroad. The Ld. Court below has ignored the increasing tendency of prices on and around the acquired land. The compensation amount is liable to be enhanced substantially.

- 9. That the learned Additional District Judge Gurgaon has erred in not appreciating the oral as well as the documentary evidence in its true perspective resulting into award of inadequate compensation.
- Judge Gurgaon has erred in not granting any hike on base price, whereas the appellant has fully proved his entitlement, thus, the appellant is entitled for hike on base price @ 12% per annum.
- 11. That the learned Additional District Judge Gurgaon has erred in imposing deduction to the extent of 50% upon the instance of sale deed which as a matter of fact should have been taken on its face value as is related to the period

prior in time of the acquisition and pertains to the area where the land has been acquired.

- 12. That the appellant has not filed any such or similar appeal before this Hon'ble Court or before Hon'ble Supreme Court of India.
- 13. That as per the information of appellant, no appeal has been filed or is pending from the same notification and award before the Hon'ble High Court. The Learned Reference Court has not relied upon any award.

It is, therefore, respectfully prayed that the present appeal may kindly be allowed and the impugned award dated 21.05.2015 passed by Ld. Additional District Judge, Gurgaon may kindly be modified, in the interest of justice.

Note: Affidavit is attached.

CHANDIGARH DATED: 29.06.2015 (ADITYA JAIN)
ADVOCATE
COUNSEL FOR THE APPELLANT

# IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

R.F.A. No. 4449 of 2015

Dr. Rajiv Marwah

... Appellant

Versus

State of Haryana and others

...Respondents

Affidavit of Dr. Rajiv Marwah son of Sh. Prithviraj Marwah, resident of 176, Somdutt Chambers-II, Bhikaji Cama Place, New Delhi -110 066, presently residing at 446/6, Regent-II, Sansai Road, Chiangmai-50210, Thailand.

- I, the above said deponent do hereby solemnly affirm and declare as under:-
- 1. That the deponent is filing the accompanying appeal in this Hon'ble Court which is most likely to succeed on the grounds mentioned therein.
- That contents of the paragraph No. 1 to
   of this regular first appeal are true and

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- 3. That the deponent has not earlier filed any such or similar appeal in this Hon'ble Court or in the Hon'ble Supreme Court of India.
- That as per the information of deponent, no appeal has been filed or is pending from the same notification and award before the Hon'ble High Court. The Learned Reference Court has not lied upon any award. Roli /-

PLACE: CHANDIGARH

DATED: 29.06.2015

DEPONENT

(Dr. Rain Manual)

#### **VERIFICATION:**

Verified that the contents of mγ affidavit are true and correct to my knowledge. No part of it is false and nothing material has been kept concealed there from.

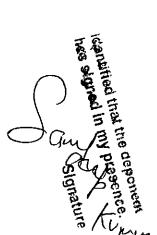
PLACE: CHANDIGARH

DATED: 29.06.2015

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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

R.F.A. No. 4449 of 2015

L.A. case No.: 424/ 06.07.2013

Revenue Estate Village Ghata

Tehsil and District Gurgaon.

Notification dated 15.04.2011 U/s.

4 of the Land Acquisition Act,1894.

Notification dated 10.4.2012 U/s 6

of the Land Acquisition Act,1894.

#### MEMO OF PARTIES

Dr. Rajiv Marwah son of Sh. Prithviraj Marwah, resident of 176, Somdutt Chambers-II, Bhikaji Cama Place, New Delhi -110 066, presently residing at 446/6, Regent-II, Sansai Road, Chiangmai-50210, Thailand.

... Appellant

#### Versus

- 1. State of Haryana through Collector, Gurgaon.
- 2. LAC, Urban Estate, Sector-14, HUDA Complex, Gurgaon.
- 3. Haryana Urban Development Authority through its Administrator, HUDA Complex, Sector-14, Gurgaon.

... Respondents

CHANDIGARH DATED: 29.06.2015 (ADITYA JÁIN)
ADVOCATE
COUNSEL FOR THE APPELLANT

Certified copy of Award Dated 21 548

IN THE COURT OF AMARJIT SINGH, ADDITIONAL DISTRICT JUDGE, GURGAON.

L.A. case No. : 424

Date of Institution: 06.07.2013 Date of Decision: 21.05.2015

Dr. Rajiv Marwah son of Sh. Prithviraj Marwah, resident of 176, Somdutt Chambers-II, Bhikaji Cama Place, New Delhi -110 066, presently residing at 446/6, Regent-II, Sansai Road, Chiangmai-50210, Thailand.

.....Petitioner.

#### Versus

1. State of Haryana through Collector, Gurgaon.

2. LAC, Urban Estate, Sector-14, HUDA Complex, Gurgaon.

3. Haryana Urban Development Authority through its Administrator, HUDA Complex, Sector-14, Gurgaon.

....Respondents

Alongwith following consolidated References:

2. 198 dated 6.12.2014 Ramesh Vs. State of Hr.,

3. 414 dated 4.07.2013 M/s Moon Light Vs. State of Hr.

## Reference petition under Section 18 of the Land Acquisition Act, 1894

Present: Ms. Uma Kaushik and Sh. R.P.Kaushik,

counsel for the petitioners.

Shri S.S.Gulia, GP for respondents assisted by Shri Sandeep Dahiya, Law Officer for respondents

no.1 to 3.

#### AWARD:

By the present award, this court shall dispose of the aforesaid three reference petitions filed under Section 18 of the Land Acquisition Act, 1894 (hereinafter referred to as the Act) for enhancement of the compensation awarded by the Land Acquisition Collector.

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- 2. Haryana Government, vide notification no. LAC (G) NTLA-2011/1615 dated 15.4.2011 under section 4 of the Act followed by another notification no. LAC(G)-NTLA/2012/2776 dated 10.4.2012 under Section 6 of the Act, acquired land measuring 13.175 acres situated within the revenue estate of village Ghata, Hadbasat No.81 Tehsil Sohna and District Gurgaon at public expenses for public purpose namely for the development and utilization of land for 30 Meter Road Widening & 30 Meter Green Belt along Southern Periphery road at Gurgaon.
- 3. Afterwards, the Land Acquisition Collector, Gurgaon vide award No. 43 dated 27.2.2013 awarded compensation in respect of said acquired land to the land owners at the rate of @ 1,50,00,000/- per acre
- Acquisition Collector, the petitioners have filed the reference petition for enhancement of the compensation of the land mentioned in para no.1 of each petition by claiming that Land Acquisition Collector has not granted just and fair compensation. It is pleaded that the Land Acquisition Collector has erred in determining the market value of the acquired land and has awarded compensation at a very low rate. The acquired land is located adjacent to private developers i.e. DLF, Unitech, Ansal, BPTP, Aardee City, SS Group etc. The prevailing market rate of the land in question is not less than Rs. 25 crores per acre. The developers are selling the land for more than Rs. 1 lac per sq. yard. It is submitted that HUDA has already developed sectors

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44,45,46,51,52, 38,39 surrounding the acquired land. The private developers have already developed many residential colonies Malibu Towne, South City, Ardee City, Mayfield Garden, South Uppal End, Sushant Lok apart from various schools, Hospitals, MNCs etc within the revenue estate of village Ghata. The land in question is situated in the heart of the Millennium city of Gurgaon, fully developed with all the basic amenities like roads, sewer, electricity, water supply, telephone etc. and is suitable for any use like residential, commercial, institution etc without any development but the Land Acquisition Collector has miserably failed to take into consideration its potential value and announced the award far below than the prevailing market price. The national capital of Delhi is hardly 2 km away and NH8 is hardly 1km away from the acquired land. The acquired land is hardly 8 km away from the Indira Gandhi International Airport. The acquired land has great potential value. The market value of the land was not less than Rs. 25 crore per acre at the time of notification under section 4 of the Act. The present acquisition came to the knowledge of the petitioner only in the month of February, 2013 and thereafter which he received the award amount on 8.2.2013, therefore the present petition is within the limitation from the date of knowledge. In view of the said circumstances, compensation is required to be enhanced to the tune of Rs. 25 crore per acre alongwith all other statutory benefits.

Notice of the petition was given to the respondents and the respondents no.1 &2 filed the reply to the petition by taking the preliminary objections to the effect that before announcing the award a

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committee was constituted by the Haryana Government under the chairmanship of Divisional Commissioner and District Collector and after considering the prevailing market price and relevant sale deeds of the land in question, proper and justified award was announced, so the petition is liable to be dismissed, that the land of the petitioners is ordinary type of agricultural land and can not be used for any purpose without development. On merits, it is admitted that the land in dispute has been acquired by virtue of award no. 43 dated 27.2.2013 for the development and utilization of land mentioned in the award. details of notification u/s 4 and declaration u/s 6 of the Act have been given in the statement no.19. It is stated that just and fair compensation was given to the petitioner. Prior to announcing the award, the Collector constituted the Committee to consider the prevailing market price and the relevant sale deeds were also considered before the announcement of the award. One sale deed on higher rate can not be considered in view of the law settled in Ranvir Singh etc. Vs. Union of India 2005 (2) LAR 371 (SC). The petitioner has taken the false and frivolous grounds in his petition, hence the same is liable to be dismissed. Learned counsel for the respondent no.3 has made a statement that

6. From the pleadings of parties, following issues were framed on 1.11.2013

- 1. What was the market value of the acquired land on the date of notification under section 4 of Land Acquisition Act? OPP.
- 2. Whether the petition is within the period of limitation? OPP
- 3. Relief.

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### Rajiv Marwah Vs. State of Haryana

- 7. In support of their case, petitioners have examined Dr. Rajiv Marwah as PW1 who tendered his affidavit Ex.PW1/A and also examined Ramesh Kumar Patwari as PW2 and placed reliance upon the documents Ex.P1- Jamabandi for the year 2001-2002, Ex.P2- Kabja Vasul, Ex.P3- sale deed No. 5041 dated 15.2.2008, Ex.P4- Sale deed No. 7034 dated 27.2.2007, Ex.P5- Sale deed No. 7254 dated 12.3.2007, Ex.P6- Sale deed No. 2261 dated 17.7.2006, Ex.P7-certified copy of award dated 30.10.2013, Ex. PW2/A & Ex.PW2/B-copy of Kabja Vasul.
- 8. On the other hand, Shri Sandeep Dahiya, LO appearing on behalf of Land Acquisition Collector has tendered copy of Award Ex.R1 and statement no.19 Ex. R2.
- 9. I have heard learned counsel for the parties and have perused the record of the case. My issue-wise findings are as under:-

#### ISSUE NO.1

Learned counsel for the petitioners has argued that the land in the present reference petitions was acquired vide notification dated 15.4.2011 in view of award No. 43 dated 27.2.2013 and this land is the part of land which was acquired in view of earlier award no. 37 dated 23.11.2011 decided on 6.4.2015 vide award Ex.P8. Case of enhancement of compensation under section 18 of the L.A.Act has been decided on 6.4.2015 by virtue of award Ex.P8 and accordingly compensation be given in accordance with law which pertains to the land of the same village. Learned counsel for the petitioners has further argued that the land in both the awards is of the same village

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### Rajiv Marwah Vs. State of Haryana

and similar in nature therefore compensation can be given as per award Ex.P8. Learned Government Pleader appearing on behalf of the respondents refuted the said contentions.

After hearing learned counsel for the parties and going through the record of the case, this court is of the view that the present reference petition deserve to be answered in favour of the petitioners. In view of statement no.19 attached with the petition apparently the land in question is under the ownership of the petitioners to the extent of their share. No doubt in the said circumstances the petitioners are owners/interested persons of the land in question. In the instant case, the petitioners relied upon the documents Ex.P3 sale deed bearing No.5041 dated 15.2.2008, Ex.P4 sale deed bearing No. 7034 dated 27.2.2007, Ex.P5 sale deed bearing No. 7254 dated 12.3.2007, Ex.P6 Sale deed bearing No. 2261 dated 17.7.2006 and all these sale deeds have duly been considered while passing the Award dated 30.10.2013 Ex.P9 by the court of Ms. Vani Gopal Sharma, the then learned Addl. District Judge, Gurgaon and on the basis of said judgment court has also passed the award dated 6.4.2015 Ex.P8. There is no sale deed of any higher side was adduced in evidence to which the claim of the petitioners can be assessed on higher side. Award Ex.P8 titled as Dr. Rajiv Marwah versus State can safely be relied upon to assess the market value of the acquired land in the instant case. In the case titled as Smt. Mahabiri Devi and others Vs. The State of Haryana through the Collector, Karnal and another 2006 (1) LACC 315, the Hon'ble High Court has held that the judicial precedents are the best

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evidence to assess the market value and if in the earlier judicial precedents, the market value has been assessed and the acquisition is also related to the same land, the land owners are entitled to the same market value. The Hon'ble Apex Court has also held in case titled as Special Land Acquisition Officer, Kheda and anr. Vs. Vasudev Chandrashankar and anr. (1) LACC page 234 that for determining the market value of the award pertaining to the acquired land regarding which an award has already been pronounced and the subsequent land being of the same village and being of the same in nature, the earlier judicial award is the best evidence to assess the market value. similar principle was followed by our own Hon'ble High Court in case titled as M/s Faridabad Gas Power Project, Faridabad Vs. Narender Kumar and others 2004 (2) LACC 473. Therefore, this court does not find any reason to differ with the judgment passed by this court vide award dated 6.4.2015 (Ex.P8). No evidence has been brought on record to the effect that this judgment has been stayed or set aside by the Hon'ble High Court or by the Hon'ble Supreme Court. It is not even the case of the respondents. Accordingly, the petitioners are entitled to get the compensation at the rate of Rs. 6338/- per sq. yard alongwith statutory benefits irrespective of nature of land in accordance with award dated 6.4.2015 Ex.P8 for their acquired land as mentioned in statement no.19.

ISSUE NO.2:

11. According to issue no.2, the petitioners are under an obligation to prove this fact that the present petition is barred by

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Distt. & Sessions Judge
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Undoubtedly, the award was passed on 27.02.2013. The petitioner in LA case No. 424 dated 6.7.2013 received the compensation amount awarded by the LAC on 22.3.2013 in view of the statement No.19 placed on record and filed the present reference petition on 8.4.2013 meaning thereby the present reference petition is within limitation. Similarly the petitioner in LA case No. 414 dated 4.7.2013 has received the compensation amount awarded by the LAC on 22.3.2013 in view of the statement no.19 placed on record and filed the present reference petition on 11.4.2013 meaning thereby the present reference petition is also within limitation. The petitioners in LA case No. 198 dated 6.12.2014 has received the compensation amount awarded by the LAC on 12.8.2013 in view of the statement no.19 placed on record and filed the reference petition 14.8.2013 meaning thereby this reference petition is also within limitation. Therefore in the said circumstances when there is no delay on the part of the petitioners, this issue is decided in favour of the petitioners and against the respondents.

#### ISSUE NO.3 (RELIEF)

- For the reasons recorded on the forgoing issue, the present 12. reference petition is partly allowed with costs. The petitioners are held entitled to the enhanced compensation at the rate of Rs. 6338/- per sq.yard alongwith all statutory benefits in respect of the acquired land mentioned in statement No.19 filed by the LAC in the reference petition.
- Besides the above, the petitioner shall also get solatium at 13.

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the rate of 30% as envisaged under sub-section (2) of Section 23 of the Act and as per provisions of Section 23 (1-A) of the Act, the petitioner shall also be entitled to an amount calculated at the rate of 12% per annum on the above mentioned assessed market value, for the period commencing on and from the date of publication of notification under Section 4 (i) till the award of the Collector or the date of taking possession of the acquired land, whichever is earlier. The petitioner shall also be entitled to interest on the enhanced compensation at the rate of 9% per annum from the date of taking possession for a period of one year and at the rate of 12% per annum after the date of expiry of the said period of one year till the payment is made as provided under Section 28 of the Act. The petitioner shall also be entitled to interest on the additional amount and solatium provided under Sub-sections (1-A) and (2) of Section 23 of the Act in accordance with law.

14. Before parting, it would be pertinent to mention that in view of the observations made in Haryana State Industrial Development Corporation Vs Pran Sukh & Others, 2011(1) Recent Civil Reports 569 by the Hon'ble Supreme Court of India, the respondents are to follow certain directions to ensure that the landowners are not fleeced by the middleman in the process of disbursement of enhanced compensation. The directions are as under:

- Bet -
- "i) The Land Acquisition Collector shall depute officers subordinate to him not below the rank of Naib Tehsildar, who shall get in touch with all the land owners and/or their legal representatives and inform them about their entitlement and right to receive enhanced compensation.
- ii) The concerned officers shall also instruct the land owners and/or their legal representatives to open savings bank

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## Rajiv Marwah Vs. State of Haryana 10

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account in case they already do not have such account.

- iii) The bank account numbers of the land owners should be given to the Land Acquisition Collector within three months.
- iv) The Land Acquisition Collector shall deposit the cheques of compensation in the bank accounts of the land owners."
- 15. Counsel fee for Govt. pleader is assessed at ₹ 2200/-.

  Memo of costs be prepared accordingly. File be consigned to record room after due compliance.

Announced in open court. Dated: 21.5.2015

Additional District Judge, Gurgaon.

Note: All the 10 pages of this award have been checked and signed by me.

ÀDJ/Gurgaon. 21.5.2015

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### MEMO OF COSTS

Petitioner(s)		Responde
10	Stamp for petition	
4	Stamp for power	
	Stamp for exhibits	
	Witness expenses	
12-	Misc.	***************************************
	Counsel's fees	
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<b>VAKALATNAMA</b>
RFA-4449/15
To the Court of I had could co
In the Court of Joyah and Mayona Just court of In Case Di Roya Mal Wal Piff. or Appl. or Complainant
In Case Plff. or Appl. or Complainant
VERSUS
Mow ALL to whom these presents shall come that I/we  Appellan
KNOW ALL to whom these presents shall come that I/we
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the above named do here by appoint
Sh. Alitys Ifin ophocada, 133,35-A chd.
To act appear and plead in the above noted case in this Court, or in any other Court in which the same may be tried or heard and also in the appellate Courts.  To sign file verify and present pleadings, replication, appeals, cross objections or petitions for executions, review revision with-drawal compromise or other petitions replies, objection or affidavits or other documents as
may be deemed necessary or proper for the prosecution of the said case in all its stages.  To file and take back documents.
To withdraw or compromise the said case or submit to arbitration any difference or disputes that may aries touching or in any manner relating to the said case.
To take out execution proceedings.
To deposit draw and receive moneys. Cheques and grant roceipts therre of and to do all other acts and thing which may be necessary to be done for the progress and in course of prosecution of the said case.
To appoint and instruct any other Legal practitoner authorising him to exercise the power and authorities hereby conferred up to the Adovcate when ever he may thinks fit to do so and to sign the power of attorney on my/our behalf.
And I/we undersigned do hereby agree to retify & confirm acts done by Advocate or his substitute in the manner as my/our own acts as it done by me/us for all intents and purposes.
And I/we the undersigned do hereby agree out to hold the Advocate or his substitute responsible for the result of the side case in consequence of his absence from the court when the said casee is called up to hearing and negligence of the said Advocate or his substitute.
And I/we undersigned do hereby agree that in the event of the whole or any part of the fee agreed by me/us to per paid to the Advocate, remaining unpaid he shall be entitled to recover from me/us.
WITNESS WHERE of I/we do hereinto set my/our hand to these presents the contents of which have been understood by me/us on this