

Punjab-Haryana High Court

Smt. Sarti And Others vs State Of Haryana on 22 December, 2008

In the High Court of Punjab & Haryana at Chandigarh

R. F. A No. 1342 of 1992 (O&M)

Smt. Sarti and others

..... Appellants

vs

State of Haryana

..... Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. R. S. Chahar, Advocate, for the appellants.

Mr. Lokesh Sinhal, Additional Advocate General, Haryana.

Rajesh Bindal J.

The landowners are in appeal before this court against the award of the learned court below passed under Section 18 of the Land Acquisition Act, 1894 (for short, 'the Act') seeking enhancement of compensation for the acquired land.

Briefly, the facts of the case are that the State of Haryana vide notification dated 10.1.1983 issued under Section 4 of the Act, acquired the land situated in revenue estate of Village Jharsa, Tehsil and District Gurgaon, for the development and utilisation of land as residential, commercial and industrial area at Gurgaon. The Land Acquisition Collector assessed the market value of the land at Rs. 60,000/- per acre for chahi, Rs. 50,000/- per acre for magda and Rs. 40,000/- per acre for gair mumkin kind of land. On reference under Section 18 of the Act, the learned court below vide award dated 14.9.1991, determined the market value of the acquired land @ Rs. 136/- per square yard upto depth of 10 yards from the National Highway No. 8 and @ Rs. 68/- per square yard for the rear portion beyond the said depth.

Learned counsel for the parties do not dispute that the claim made in the appeal is squarely covered by judgment of this court in R. F. A. No. 2 of 1991 Azad Singh vs The State of Haryana and another, decided on 30.9.1997, whereby award of the Reference Court was upheld. The amount of compensation assessed in the present case is also in the same terms. Accordingly, the claim made in the appeal does not survive.

For the reasons recorded in Azad Singh's case (supra), the present appeal is dismissed.

22.12.2008

vs.

(Rajesh Bindal)

Judge