

In the High Court of Punjab & Haryana at Chandigarh

R. F. A No. 3419 of 1999 (O&M)

State of Haryana

..... Appellant

vs

Capt. Jitender Pal and another

..... Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Ashish Gupta, Assistant Advocate General, Haryana.

Rajesh Bindal J.

The State of Haryana is 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 reduction of compensation for the acquired land.

Briefly, the facts of the case are that vide notification dated 25.9.1989 issued under Section 4 of the Act, the State of Haryana acquired land situated in the revenue estate of Village Patti Kaisth Seth, Hadbast No. 24, Kaithal, for development and utilisation thereof as residential, commercial and institutional area Sector-20, Kaithal. The Land Acquisition Collector vide his award dated 26.2.1992 assessed the market value of the acquired land at ₹ 1,00,000/- per acre. Dissatisfied with the award of the Collector, the landowners filed objections. On reference under Section 18 of the Act, the learned court below determined the market value of the acquired land @ ₹ 2,70,000/- per acre. It is this award which is impugned in the present appeal.

Learned State counsel very fairly submitted that the issues raised in the present appeal are squarely covered by judgment of this court in LPA No. 749 of 2001 – *Inder Lal vs the State of Haryana*, decided on 9.9.2008 whereby the compensation for the acquisition in question was further enhanced to ₹ 2,89,701/- per acre.

Since this court had further enhanced the compensation payable to the landowners for the land acquired vide same notification which is involved in the present appeal, no case for reduction is made out.

Accordingly, for the reasons stated in the aforesaid judgment, the present appeal is dismissed.

31.8.2010
vs.

(Rajesh Bindal)
Judge