

KALYAN SINGH AND OTHERS
VS
STATE OF HARYANA AND OTHERS

Present:- Mr. Vikram Singh, Advocate and
Mr. Divyam Singh, Advocate,
for the applicants-appellants.

Mr. Abhinash Jain, DAG, Haryana,
for respondents No.1 & 2.

1. By way of present application, prayer has been made for review of decision dated 18.01.2019 passed by this Court.
2. On 24.01.2022, this Court passed the following order:-

“Counsel for the applicant-appellants contends that the issue of compensation of land @ Rs.32/- per sq.yard had been granted on 16.07.2003 in terms of the judgment rendered in RFA-1646-1986 (Annexure A-1). However, the said order had been recalled vide order dated 29.04.2005 in RA-24-C1-2004 on the ground that compensation in respect of fruit bearing trees had not been adjudicated. It is submitted that now vide order under review, the claim for benefit of trees had been dismissed on 18.01.2019, which order has also been upheld by the Apex Court on 26.07.2019 (Annexure A-2). It is, however, contended that the difference is of Rs.2/- per sq.yard as the Reference Court had only granted compensation @ Rs.30/- per sq.yard but erroneously the said benefit in the case of the present applicants has not granted.

Notice of the applications for condonation of delay of 392 days in filing the review application as well as the review application for 18.02.2022.

*Mr.Pandit accepts notice on behalf of the State.
Soft copies of the applications be supplied to him, during*

the course of the day.”

3. I have heard learned counsel for the parties and gone through the paper book.

4. A perusal of record shows that at the time of final disposal of RFA-1468-1990, though the claim with respect to the enhancement of compensation qua fruit bearing trees was declined, however, with respect to the enhancement towards market value of the land under acquisition, on account of an accidental slip/omission, no determination was made, whereas, in case of other similarly placed landowners pertaining to the same acquisition proceedings vide decision dated 07.11.1989 passed by this Court in RFA-1646-1986, the market value was enhanced to Rs.32/- per sq.yard from Rs.30/- per sq.yard with respect to the notification dated 17.10.1978 issued under Section 4 of the Land Acquisition Act, 1894 (for short, “1894 Act”) relating to the revenue estate of Karnal.

5. In such circumstances, the aforesaid omission being accidental is ordered to be rectified and the applicants-appellants (landowners) shall be entitled for market value @ Rs.32/- per sq.yard along with all statutory benefits and interest payable to them under the provisions of 1894 Act, as awarded to the other similarly placed landowners.

6. Accordingly, application stands disposed of.

(HARKESH MANUJA)
JUDGE

26.08.2025
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