

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

RFA No. 2370 of 1997 (O&M)

Date of decision: 28.11.2015

Dera Khansar Saffidon and another

..... Appellants

VS

State of Haryana and others

..... Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: None for the appellants.

Mr. Abhinash Jain, Assistant Advocate General, Haryana.

Rajesh Bindal J.

The present appeal has been filed against the award of the learned court below, whereby the objections filed by the landowners were dismissed on account of delay.

Briefly, the facts are that land situated in revenue estate of village Safidon, Hadbast No.54, Tehsil and District Jind, was sought to be acquired by the State of Haryana for establishment of New Grain Market, Safidon, vide notification dated 14.8.1987, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'). It was followed by notification under Section 6 of the Act dated 12.8.1988. The Land Acquisition Collector (for short, the Collector) vide award no.2 dated 10.8.1990 assessed the market value of the acquired land @ ₹ 80,000/- per acre for nehri/chahi, barani and roshli and ₹ 1,00,000/- per acre for gair mumkin kind of land. Aggrieved against the award of the Collector, the land owners filed objections, which were referred to the learned Additional District Judge, who keeping in view the material placed on record by the parties, dismissed the objections filed by the landowners being time barred vide award dated 26.4.1997. It is this award which is impugned in the present appeal.

The facts, which are evident from the record are that notification under Section 4 of the Act was issued on 14.8.1987. The Collector announced the award on 10.8.1990. The possession of the acquired land was taken on 18.8.1990. The appellants filed the objections on 1.7.1992, which were clearly beyond the period prescribed under the Act.

Considering the aforesaid factual matrix, prima facie, I do not find that any illegality has been committed by the learned Reference Court in dismissing the objections filed by the appellants as time barred. However, as no one has appeared for the appellants, the appeal is dismissed in default.

28.11.2015
vs

(Rajesh Bindal)
Judge