

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

CM No.16341-CI of 2014 and
RFA No.10078 of 2014 (O&M)
Date of decision: 19.11.2015

Dharamvir

..... Appellant

Versus

The State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Sanjiv Roy, Advocate, for
Mr. Shiv Kumar, Advocate, for the appellant.
Mr. Arun Beniwal, Deputy Advocate General, Haryana.

RAJESH BINDAL, J

By filing appeal, the landowner is seeking enhancement of compensation for the acquired land. Along with the appeal, an application seeking condonation of delay of 107 days in filing thereof has also been filed.

Briefly, the facts of the case are that State of Haryana vide notification dated 14.8.2008, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') sought to acquire land situated in village Palwali, Tehsil and District Faridabad for development and utilization thereof for Master Plan Roads of Sectors 75 to 89, Faridabad. The same was followed by notification dated 30.8.2008, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide his award No.7 dated 27.8.2010, assessed the market value of the acquired land @ ₹ 42,00,000/- per acre. Aggrieved against the awards of the Collector, the landowner filed objections which were referred to the learned court below, who keeping in view the material placed on record by the parties, assessed the compensation for the acquired land @ ₹ 1,118/- per square yard. The same has been impugned by the by the landowner before this Court.

CM No. 16341-CI of 2014

After hearing learned counsel for the parties and considering the judgment of Hon'ble the Supreme Court in Imrat Lal and others vs Land Acquisition Collector and others 2015(2) RCR (Civil) 437 and Dhiraj Singh (D) Tr. LRs. vs Haryana State and others 2015 (2) RCR (Civil) 507, delay of 107 days in filing the appeal is condoned. However, for the period of delay, the applicant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal.

CM stands disposed of.

RFA No. 10078 of 2014

Learned counsel for the landowner submitted that the claim made in the present appeal is squarely covered by the judgment of this Court in RFA No. 7108 of 2012- Rampal and others v. Land Acquisition Collector and another, decided on 16.9.2015, whereby, compensation for the land acquired vide notification dated 14.8.2008 was further enhanced.

Learned counsel for the State did not dispute the aforesaid fact.

Accordingly, for the reasons recorded in Rampal's case (supra), the present appeal is disposed of in the same terms. However, the landowner shall not be entitled to interest for the period of delay in filing the appeal i.e. 107 days.

(RAJESH BINDAL)
JUDGE

19.11.2015

sharmila