

**CM No. 5771/CI of 2015 and
RFA No. 3143 of 2015 (O&M)**
LAC No. 216 of 2011
Date of decision : 29.9.2015

Coram : Hon'ble Mr. Justice Rajesh Bindal

Rajesh Bindal, J.

Briefly, the facts of the case are that vide notification issued on 28.2.2007, under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), State of Haryana sought to acquire 2.52 acres land of village Nimri, Hadbast No. 126, Tehsil Charkhi Dadri, District Bhiwani, for construction of Malkosh and Nimri Link Drain. Notification under Section 6 of the Act was issued on 14.5.2007. The Land Acquisition Collector (for short, 'the Collector') vide award no. 20-B, dated 20.8.2008 assessed compensation @ ₹ 8,00,000/- per acre. Dissatisfied with the award of the Collector, the land owners filed objections. On reference under Section 18 of the Act, the learned court below vide award dated 14.7.2014 upheld the award of the Collector as far as valuation of the land is concerned, however, awarded compensation @ ₹ 50,000/- per acre on account of bifurcation. It is this award which has been impugned before this court by the landowners in the present appeal.

CM No. 5771/CI/2015

After hearing learned counsel for the parties and considering the judgments 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 205 days in filing the appeal is condoned. However, for the period of delay in filing the appeal, the appellants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

RFA No. 3143/2015

Learned counsel for the landowners submitted that the claim made in the present appeal is squarely covered by judgment of this Court RFA No. 2468 of 2015 - Narender and another vs State of Haryana and another, of even date, whereby, compensation for the land acquired vide same notification was assessed @ ₹ 9,53,000/- per acre.

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

Accordingly, for the detailed reasons recorded in Narender's case (supra), the present appeal is disposed of in the same terms. However, the landowners shall not be entitled to interest for the period of delay in filing the appeal i.e. 205 days.

29.9.2015
vs.

(Rajesh Bindal)
Judge