

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

CM No.6670-CI of 2015 in/and
RFA No. 3712 of 2015 (O&M)
Date of decision :8.10.2015

Satish Kumar and another

... Appellants

VS

State of Haryana and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. R.S. Chahal, Advocate, for the appellants.

Ms. Vibha Tewari, Assistant Advocate General, Haryana.

Rajesh Bindal, J.

The landowners are in appeal seeking enhancement of compensation for the acquired land. Along with the appeal, an application seeking condonation of delay of 500 days in filing thereof, has also been filed.

Briefly, the facts of the case are that vide notification dated 22.2.2007, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), State of Haryana sought to acquire 154.50 acres of land situated in the revenue estate of village Dadri, District Bhiwani for development and utilization thereof as Residential and Recreational Sectors 8 and 9, Dadri. The same was followed by notification dated 20.2.2008, issued under Section 6 of the Act. Ultimately, 139.238 acres of land was acquired. The Land Acquisition Collector (for short, 'the Collector'), vide award dated 18.1.2010, assessed the compensation @ ₹ 15,00,000/- per acre for Nehri and Chahi land and ₹ 14,00,000/- per acre for Barani, Banjar & Gair Mumkin kind of land. Aggrieved against the award of the Collector, the land owners filed objections which were referred to the learned court below, who keeping in view the material placed on record by the parties, determined the value of the acquired land @ ₹ 29,00,000/- per acre for

Chahi and Nehri land and ₹ 28,00,000/- per acre for Barani, Gairmumkin and Banjar land.

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For the reasons stated in the application 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 500 days in filing the appeal is condoned. However, for the period of delay, the applicants 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.3712 of 2015

Learned counsel for the appellants submitted that the claim made in the present appeal is squarely covered by the judgment of this Court in RFA No. 6719 of 2013- Surat Singh and others v. State of Haryana and others, decided on 22.9.2015, whereby, compensation for the land acquired vide notification dated 22.2.2007, was assessed @ ₹ 35,00,000/- per acre.

Accordingly, for the reasons recorded in Surat Singh'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. 500 days.

8.10.2015

sharmila

(Rajesh Bindal)

Judge