

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

CM No.16044-CI of 2013 and
R.F.A No. 8043 of 2013 (O&M)

Date of decision : 24.12.2015

Rattan Singh and another

..... Appellants

VS

The Collector and others

.... Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Ashok Aneja, Advocate, for the landowners.

Mr. Piyush Bansal, Deputy Advocate General, Punjab.

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 2,347 days in filing thereof has also been filed.

Briefly, the facts of the case are that vide notification dated 22.3.1994, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), the State of Punjab sought to acquire land, situated in the revenue estates of villages Abohar and Alamgarh, Tehsil Abohar, District Ferozepur for construction of Industrial Focal Point. The same was followed by notification dated 25.1.1995, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award dated 15.4.1996, determined the market value of the acquired land @ ₹ 3,50,000/- per acre pertaining to revenue estate of village Abohar and ₹ 2,00,000/- per acre pertaining to revenue estate of village Alamgarh. Dissatisfied with the award of the Collector, the landowners filed objections, which were referred to the learned court. The learned reference court dismissed the reference petition. It is this award which is impugned by the landowners before this Court.

CM No. 16044-CI of 2013

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 of 2,347 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.8043 of 2013

Learned counsel for parties are agreed that the claim made in the present appeal is squarely covered by judgment of this Court in RFA No. 2323 of 2007 Bhajan Singh v. The Collector Land Acquisition and others, decided on 19.7.2013.

Accordingly, for the reasons recorded in Bhajan 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. 2,347 days.

24.12.2015

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(Rajesh Bindal)
Judge