

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

**CM No. 8560/CI of 2015 and
RFA No. 4420 of 2015 (O&M)
LAC No. 13 of 1993**

Date of decision : 12.10.2015

Raj Kumari and others .. Appellants
versus
The Haryana State and another .. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Ram Bilas Gupta, Advocate, for the appellants.
Mr. Arun Beniwal, Deputy 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 6,646 days in filing thereof, has also been filed.

Briefly, the facts are that the State of Haryana vide notification dated 20.4.1987 issued under Section 4 of the Land Acquisition Act, 1894 (for short, the Act), sought to acquire land situated within the revenue estates of Village Badkhal, Tehsil Ballabgarh, District Faridabad, for development and utilisation thereof as institutional area in Sector-48, Faridabad. The Land Acquisition Collector (for short, the Collector) assessed the market value of the land @ ₹ 3,50,000/- per acre. Dissatisfied with the award of the Collector, the landowners filed objections. On reference under Section 18 of the Act, the learned court below vide award dated 3.12.1996, determined the market value of the acquired land @ ₹ 90/- per square yard. It is this award, which has been impugned in the present appeal.

CM No. 8560/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 6,646 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. 4420/2015

Learned counsel for the appellants submitted that the issue raised in the present appeal is squarely covered by the judgment of this court in RFA No. 1015 of 1992 – Chet Ram and others vs State of Haryana, decided on 16.3.2010, whereby the amount of compensation for the acquired land was further enhanced to ₹ 200/- per square yard.

Learned counsel for the State did not dispute the aforesaid factual position.

Accordingly, for the detailed reasons recorded in Chet Ram'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. 6,646 days.

12.10.2015
vs

(Rajesh Bindal)
Judge