

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

**CM No. 11938/CI of 2015 and
RFA No. 5785 of 2015 (O&M)**

Date of decision : 7.12.2015

Mange Ram and others

... Appellants

VS

The State of Haryana and others

... Respondents

Coram : Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Jitender Malik, Advocate, for the appellants.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal, J.

By filing the present appeal, the landowners are seeking enhancement of compensation for the acquired land. Along with the appeal, an application seeking condonation of delay of 1,597 days in filing thereof, has also been filed.

Briefly, the facts of the case are that vide notification dated 22.3.2006 issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), State of Haryana sought to acquire the land situated within the revenue estate of village Mohabatpur, Tehsil Adampur, District Hisar, for construction of Ghagar Multipurpose Channel. Notification under Section 6 of the Act was issued on 3.4.2006. The Land Acquisition Collector (for short, 'the Collector') vide award dated 29.8.2006 assessed compensation @ ₹ 5,00,000/- 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 granted additional compensation @ ₹ 1,00,000/- per acre. It is this award which is impugned before this court by the landowners.

CM No. 11938/CI/2015

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 1,597 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. 5785/2015

Learned counsel for the appellants submitted that the issue involved in the present appeal is squarely covered by judgment of this Court in RFA No. 1999 of 2011 Vijay Singh vs State of Haryana and others decided on 2.12.2013, whereby the compensation for the land acquired vide same notification was further enhanced to ₹ 7,12,500/- per acre.

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

Accordingly, for the reasons recorded in Vijay Singh's case (supra), the present allowed in the same terms. However, the landowners shall not be entitled to interest for the period of delay in filing the appeal i.e. 1,597 days.

7.12.2015
vs.

(Rajesh Bindal)
Judge