

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

RFA No. 6238 of 2015 (O&M)

Date of decision :12.10.2015

Haryana State Industrial & Infrastructure Development Corporation

... Appellant

vs

Banwari Lal and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Deepak Sabherwal, Advocate, for the appellant.

Rajesh Bindal, J.

The Haryana State Industrial & Infrastructure Development Corporation (for short 'the Corporation') is in appeal seeking reduction of compensation awarded to the landowners for the acquired land. Along with the appeal, an application seeking condonation of delay of 582 days in filing thereof, has also been filed.

Briefly, the facts of the case are that vide notification dated 12.12.2008, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), State of Haryana sought to acquire 26 kanals and 17 marlas of land, situated within the revenue estate of village Kukrola, Tehsil Manesar, District Gurgaon for construction of grade separator on NH-8 KMP Expressway connecting NH No. 1, 10, 8 and 2. The same was followed by notification dated 9.3.2009, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector') vide award dated 11.8.2009, assessed the market value of the acquired land @ ₹ 35,00,000/- per acre. Aggrieved against the award of the Collector, the landowners filed objections. On reference under Section 18 of the Act, the learned court below assessed the market value of the acquired land @ ₹ 66,05,872/- per acre. The same has been impugned by the Corporation before this Court.

Learned counsel for the Corporation did not dispute the fact that the claim made in the present appeal is squarely covered by the judgment of this Court in RFA No. 5106 of 2015- Haryana State Industrial & Infrastructure Development Corporation v. Shobha Devi and others, decided on 28.9.2015, whereby, bunch of appeals were dismissed as similar delay in filing the appeal was not condoned. The aforesaid appeals were also pertaining to same acquisition.

Accordingly, for the reasons recorded in Shobha Devi's case (supra), the application for condonation of delay is dismissed. Consequently, the appeal is also dismissed.

12.10.2015

sharmila

(Rajesh Bindal)
Judge