

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

RFA No. 6281 of 2015 (O&M)

Date of decision :15.10.2015

The State of Haryana and another

... Appellants

vs

Satpal

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal, J.

Challenge in the present appeal is to the award of the court below dated 16.8.2012, whereby compensation qua acquisition of land was assessed while relying upon judgment of this Court in RFA No.2392 of 1997—Mukhtiar Singh and others v. State of Haryana and another, decided on 6.10.2010. Along with the appeal, an application seeking condonation of delay of 1,025 days in filing thereof, has also been filed.

Briefly, the facts of the case are that State of Haryana vide notification dated 3.7.1995, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') sought to acquire land situated in the revenue estate of Faridabad, Tehsil and District Faridabad for development of Sector 20B, Faridabad. The same was followed by notification dated 2.7.1996, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide his award dated 29.6.1998, assessed the market value of the acquired land @ ₹ 5,85,000/- per acre. Aggrieved against the award of the Collector, the landowner filed objections which were referred to the learned court below, who keeping in view the material placed on record by the parties, assessed the compensation for the acquired land @ ₹ 795/- per square yard. The same has been impugned by the State before this Court.

The only ground sought to be raised to seek condonation of

delay is that earlier the case was not found fit for filing before this Court, as judgment of this Court was relied upon for the purpose of assessment of compensation by learned reference court. There is nothing on record to suggest that the judgment of this Court was challenged by the State before Hon'ble the Supreme Court. The Hon'ble Supreme Court remitted the matters back for re-consideration to this Court vide judgment dated 6.3.2014, passed in Civil Appeal Nos.3547-3689 of 2014, State of Haryana v. Mukhtiar Singh and others. The sanction was issued for filing the appeal in the present case one year thereafter.

Considering the aforesaid facts, I do not find that any case is made out to condone huge delay of 1,025 days in filing the appeal. Accordingly, the application seeking condonation of delay of 1,025 days in filing the appeal is dismissed. Consequently, the appeal is also dismissed.

15.10.2015
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(Rajesh Bindal)
Judge