

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

**Civil Misc. No. 12978/CI of 2015 and
RFA No. 6343 of 2015 (O&M)**

Date of decision : 22.12.2015

Diya Singh alias Daya Singh	vs	 Appellant
State of Punjab and another		 Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Naresh Kaushal, Advocate, for the appellant.
 Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

Rajesh Bindal, J

By filing the present appeal, the landowner is seeking enhancement of compensation for the acquired land. Along with the appeal, an application seeking condonation of delay of 656 days in filing thereof has also been filed.

Briefly the facts are that vide notification dated 21.2.2000 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 estate of village Mauli Baidwan, Hadbast No.4, Tehsil and District Mohali, for setting up of residential urban estate. It was followed by notification under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector') vide award no.480 dated 7.5.2001 assessed the compensation @ ₹ 10,00,000/- per acre for the land of village touching existing Sectors 66-69 and upto Sohana, Mauli Baidwan Link Road, ₹ 8,00,000/- per acre for chahi and ₹ 7,00,000/- per acre for banjar kind of land. Dissatisfied with the award of the Collector, the landowner filed objections. On reference, the learned court below vide award dated 4.9.2013 determined the market value of the acquired land @ ₹ 19,85,700/- per acre. Aggrieved against the award of learned Court below, the landowner is before this Court.

CM No. 12978/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 of 656 days in filing the appeal is condoned. However, for the period of delay in filing the appeal, the appellant shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

RFA No. 6343/2015

Learned counsel for the landowner submitted that issue raised in the present appeal is squarely covered by the judgment of Hon'ble the Supreme Court in Civil Appeal No. 331 of 2014 Paramjit Panag and others vs State of Punjab, decided on 15.1.2014, whereby the compensation payable to the landowners was further enhanced @ ₹ 2,00,000/- per acre on what was assessed by this Court in RFA No. 3004 of 2006 Surjit Singh vs State of Punjab and another decided on 2.3.2009.

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

Accordingly, for the detailed reasons recorded in the aforesaid judgments, the present appeal is disposed of in the same terms. However, the landowner shall not be entitled to interest for the period of delay in filing the appeal i.e. 656 days.

22.12.2015

vs.

(Rajesh Bindal)
Judge