

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

CM No.13094-CI of 2015 in/and
RFA No. 6379 of 2015 (O&M)
Date of decision : 17.11.2015

Chander Singh and another

... Appellants

VS

State of Haryana and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Chirag Kundu, 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 423 days in filing thereof, has also been filed.

Briefly, the facts of the case are that State of Haryana vide notification dated 7.2.2008, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') sought to acquire land situated in village Faridpur, Tehsil and District Faridabad for development and utilization thereof as residential and commercial Sectors 76 to 78, Faridabad. The same was followed by notification dated 6.2.2009, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide his award No.25 dated 4.2.2011, assessed the market value of the acquired land @ ₹ 42,00,000/- per acre. Aggrieved against the award of the Collector, the landowners 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 @ ₹ 1,052/- per square yard. The same has been impugned by the landowners before this Court.

CM No.13094-CI of 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 423 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.6379 of 2015

Learned counsel for the landowners submitted that the claim made in the present appeal is squarely covered by the judgment of this Court in RFA No. 7108 of 2012- Rampal and others v. Land Acquisition Collector and another, decided on 16.9.2015, whereby, compensation for the land acquired vide same notification, was further enhanced.

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

Accordingly, for the reasons recorded in Rampal'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. 423 days.

17.11.2015

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(Rajesh Bindal)

Judge