

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

**CM No. 13172/CI of 2015 in/and
RFA No. 6454 of 2015 (O&M)**

Date of decision : 22.12.2015

Raghubir Singh and others

.. Appellants

versus

State of Haryana and another

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. M. S. Kathuria, Advocate for
Mr. Rakesh Nehra, Advocate, for the applicants-appellants.
Ms. Vibha Tewari, Assistant Advocate General, Haryana.

Rajesh Bindal, J.

The present appeal has been filed by the landowners seeking enhancement of compensation for the acquired land. Along with the appeal, application for condonation of 2092 days delay in filing thereof has also been filed.

Briefly, the facts of the case are that State of Haryana vide notification dated 24.1.2001, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') sought to acquire land situated in village Jakhoda, Tehsil Bahadurgarh, District Jhajjar for development as Industrial area. The same was followed by notification dated 22.1.2002 issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award No.6 dated 20.1.2004, assessed the market value of the acquired land @ ₹ 6,75,000/- per acre for nehri/ chahi and ₹ 4,00,000/- per acre for gair mumkin/ barani/ banjar kadim kinds of land. 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 @ ₹ 14,56,000/- per acre. Now the landowners are before this Court seeking enhancement.

CM No. 13172/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 2092 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. 6454/2015

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. 3787 of 2009- Gaje Singh and others vs State of Haryana and another, decided on 6.11.2015, 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 Gaje Singh'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. 2092 days.

22.12.2015
vs

(Rajesh Bindal)
Judge