

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

CM No.13394-CI of 2015 and
R.F.A No. 6568 of 2015 (O&M)

Date of decision : 24.12.2015

Rajbir Singh and others

..... Appellants

VS

Union Territory, Chandigarh

.... Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: None for the landowners.

Mr. Deepak Sharma, Advocate, for U.T., Chandigarh.

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 893 days in filing thereof has also been filed.

Briefly, the facts are that vide notification dated 20.11.2003, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), Union Territory, Chandigarh sought to acquire land measuring 87.893 acres situated within the revenue estate of village Sarangpur, Union Territory, Chandigarh, for development of Complex for Important Projects and Allied Purposes. The same was followed by notification issued under Section 6 of the Act dated 18.11.2004. The Land Acquisition Collector (for short, "the Collector") vide his award No.577 dated 20.4.2005 assessed the market value of the acquired @ ₹ 20,24,254/- per acre. Dissatisfied with the award of the Collector, the landowners filed objections. On reference, the learned court below, vide award dated 20.10.2012, determined market value of the acquired land @ ₹ 23,13,139/- per acre. It is this award which is impugned by the landowners before this Court.

CM No. 13394-CI of 2015

For the reasons stated in the application 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 893 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.6568 of 2015

Learned counsel for Union Territory, Chandigarh did not dispute the fact that the claim made in the present appeal is squarely covered by judgment of this Court in RFA No. 2025 of 2009 Sh. Kanwaljit Singh Mujral and another vs Union Territory, Chandigarh, decided on 17.8.2015, whereby compensation for the land acquired vide same notification was enhanced to ₹ 27,90,000/- per acre.

Accordingly, for the reasons recorded in Sh. Kanwaljit Singh Mujral'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. 893 days.

24.12.2015

sharmila

(Rajesh Bindal)

Judge