

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

CM No.14488-CI of 2015 and
RFA No. 6909 of 2015 (O&M)
Date of decision :24.12.2015

Satinder Pal Dhanda

... Appellant

VS

State of Haryana and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Sukhvinder Singh Nara, Advocate, for the landowner.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Rajesh Bindal, J.

The landowner is in appeal seeking enhancement of compensation for the acquired land. Along with appeal, application, seeking condonation of delay of 574 days in filing thereof, has also been filed.

Briefly, the facts of the case are that vide notification dated 2.5.2001, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), State of Haryana sought to acquire 8.52 acres of land, situated in village Garhi Mundon and 76.30 acres of land, situated in village Tejli, Tehsil Jagadhri, District Yamuna Nagar for development and utilization thereof as residential and commercial area for Sector 15, Jagadhri. The same was followed by notification dated 30.4.2002 issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award dated 27.4.2004 assessed the market value of the land @ ₹ 6,00,000/- 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, determined the market value of the acquired land @ ₹ 1,560/- per square meter. The same has been challenged by the landowner in the present

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After hearing learned counsel for the parties and considering the judgment 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 574 days in filing the appeal is condoned. However, for the period of delay, the applicant 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.6909 of 2015

Learned counsel for the landowner submitted that the claim made in the present in appeal is squarely covered by the judgment of this Court in RFA No. 3285 of 2014- Megh Raj @ Sahi Ram v. State of Haryana and others, decided on 24.12.2015, whereby compensation for the land acquired same notification for the same purpose, was assessed @ ₹ 2,300/- per square meter.

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

Accordingly, for the reasons recorded in Megh Raj @ Sahi Ram's case (supra), 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. 574 days.

24.12.2015

sharmila

(Rajesh Bindal)

Judge