

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

CM No.14748-CI of 2015 and
RFA No. 7013 of 2015 (O&M)
Date of decision :24.12.2015

Jai Singh

... Appellant

VS

State of Haryana and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Amit Singla, Advocate, for the landowners.

Ms. Vibha Tewari, Assistant 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 974 days in filing thereof, has also been filed.

Briefly, the facts of the case are that the State of Haryana vide notification dated 17.3.2006 issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') sought to acquire land situated within the revenue estate of Village Niyana, Tehsil and District Hisar, for construction of Khanpur-Sisai Link Drain. Notification under Section 6 of the Act was issued on 13.7.2006. The Land Acquisition Collector (for short, 'the Collector') vide award dated 25.1.2007 assessed the market value of the acquired land @ ₹ 5,00,000/- per acre. Dissatisfied with the award of the Collector, the landowner filed objections. On reference, the learned court below determined the market value of the acquired land @ ₹ 6,00,000/- per acre. Aggrieved against the award of learned Court below, the landowner is in appeal before this Court.

CM No.14748-CI of 2015

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 974 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.7013 of 2015

Learned counsel for the landowner submitted that the claim made in the present appeal is squarely covered by the judgment of this Court in RFA No. 7450 of 2011- Om Parkash and others v. State of Haryana and others, decided on 30.3.2012, whereby compensation for the land acquired vide same notification was assessed @ ₹ 7,35,000/- per acre.

Learned counsel for the State did not dispute the aforesaid fact.

Accordingly, for the reasons recorded in Om Parkash's case (supra), 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. 974 days.

24.12.2015

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(Rajesh Bindal)
Judge