

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

RFA No.9028 of 2014
Date of decision : 27.01.2015

Abhey Ram and others

...Appellants

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. V.S. Punia, Advocate
for the appellants.

Mr. Abhinash Jain, Asst. A.G., Haryana.

AMIT RAWAL, J. (Oral)

CM NO.14403-CI of 2014

This is an application for condonation of delay of 472 days
in filing the appeal. Application is accompanied by an affidavit.

Notice to the application. Mr. Abhinash Jain, Asst. A.G.,
Haryana accepts notice on behalf of State and others being proforma
respondents. It has been stated in the application that appeal was filed
within the delay of 116 days but the objections were raised in the
Registry due to which delay of 472 days had occurred.

Mr. V.S. Punia, learned counsel for the appellants submits

that subject matter of the Notification, has been adjudicated by this Court in RFA No.6159 of 2013 decided on 14.11.2013 and therefore urged that the appeal can also be disposed of, much less delay in filing the appeal may also be condoned.

For the reasons stated in the application, which is duly supported by an affidavit, the delay of 472 days in filing the appeal is condoned.

The application stands disposed of.

Main Case

In this case, Mr. V.S. Punia, learned counsel for the appellants has handed over the copy of order dated 14.11.2013 passed in RFA No.6159 of 2013 to contend that the subject matter of the Notification involved in the present case had been subject matter of the adjudication in the aforementioned matter.

The Notification under Section 4 of the Land Acquisition Act, 1894 (hereinafter to be referred as the 'Act') in this case was published on 26.05.2009, whereas under Section 6 of the Act was issued on 24.09.2009. The Land Acquisition Collector vide award dated 29.12.2009 assessed the compensation @ ₹8,00,000/- per acre. On reference under Section 18 of the Act, the Reference Court vide award dated 23.01.2013 assessed the market value of the acquired land @ ₹10,00,000/- per acre. Similar facts have been noticed in the aforementioned order dated 14.11.2013 passed in RFA No.6159 of

2013.

The present appeal, thus, is disposed of in terms of order dated 14.11.2013 passed in RFA No.6159 of 2013 and the order of the Reference Court is modified.

The appellants-landlords are awarded compensation @ ₹10,94,000/- per acre. They shall also entitled to all the statutory benefits available to them under the Act.

27.01.2015

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**(AMIT RAWAL)
JUDGE**