

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

CM No.14951-CI of 2014 in/and
RFA No. 9385 of 2014 (O&M)
Date of decision :13.10.2015

Smt. Kitabo and others

... Appellants

VS

State of Haryana and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Ms. Anita Balyan, Advocate, for the appellants.

Ms. Vibha Tewari, Assistant Advocate General, Haryana.

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 2,388 days in filing thereof, has also been filed.

Briefly, the facts of the case are that State of Haryana vide notification dated 3.10.2002, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') sought to acquire land measuring 19.00 acres situated in village Chitana, Hadbast No.200, Tehsil and District Sonapat for construction of Carrier Lined Channel. The same was followed by notification dated 14.11.2002, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide his award dated 21.5.2001, assessed the market value of the acquired land @ ₹ 2,00,000/- per acre. 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, upheld the award of the Collector. The same has been impugned by the landowners before this Court.

CM No.14951-CI of 2014

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 2,388 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.9385 of 2014

Learned counsel for the appellants submitted that the claim made in the present appeal is squarely covered by the judgment of this Court in RFA No. 3534 of 2008- Kuldeep Singh and others v. State of Haryana and others, decided on 19.8.2010, whereby, compensation for the acquired land was enhanced to @ ₹ 2,50,000/- per acre.

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

Accordingly, for the reasons recorded in Kuldeep 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. 2,388 days.

13.10.2015

sharmila

(Rajesh Bindal)
Judge