

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

**Civil Misc. No. 15382/CI of 2014 and
RFA No. 9548 of 2014 (O&M)**

LAC No. 268 dated 16.11.2000

Date of decision : 2.11.2015

Surjit Singh

..... Appellant

VS

State of Punjab

..... Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Naresh Kaushal, Advocate, for the appellant.

Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

Rajesh Bindal, J

By filing the present appeal, the landowner is seeking enhancement of compensation for the acquired land. Along with the appeal, an application seeking condonation of delay of 3,315 days in filing thereof has also been filed.

Briefly the facts are that vide notification dated 11.11.1993 issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), the State of Punjab sought to acquire land in the revenue estate of village Sohana, Tehsil and District Mohali, for setting up of Industrial Focal Point at S.A.S. Nagar. It was followed by notification under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector') vide award no.1 dated 7.6.1996 assessed the compensation for the acquired land @ ₹ 1,75,000/- per acre. Dissatisfied with the award of the Collector, the landowner filed objections. On reference, the learned court below vide award dated 2.5.2005 determined the market value of the acquired land @ ₹ 6,96,000/- per acre. Aggrieved against the award of learned Court below, the landowner is before this Court.

CM No. 15382/CI/2014

After hearing learned counsel for the parties 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 3,315 days in filing the appeal is condoned. However, for the period of delay in filing the appeal, the appellant shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

RFA No. 9548/2014

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. 2322 of 1998 - Harbachan Kaur and others vs The State of Punjab, decided on 23.8.2006, whereby the compensation for the land acquired vide same notification was further enhanced to ₹ 8,00,000/- per acre.

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

Accordingly, for the detailed reasons recorded in Harbachan Kaur'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. 3,315 days.

2.11.2015

vs.

(Rajesh Bindal)
Judge