

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

CM No.15659-CI of 2014 in/and
RFA No. 9699 of 2014 (O&M)
Date of decision : 6.11.2015

Lok Ram and another

... Appellants

vs

State of Haryana and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Sushil K. Sharma, Advocate for
Mr. M.L. Sharma, Advocate, for the appellants.
Ms. Vibha Tewari, Assistant Advocate General, Haryana.

Rajesh Bindal, J.

By filing the appeal, the landowners are seeking enhancement of compensation for the acquired land. Along with the appeal, an application seeking condonation of delay of 614 days in filing thereof has also been filed.

Briefly, the facts of the case are that vide notification dated 16.4.2003, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), land measuring 11.42 acres situated in village Malhar, Tehsil and District Fatehabad was acquired by the State of Haryana for construction of Rangoi Kharif Channel from reach RD 68256-155450. The same was followed by notification, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award dated 1.3.2004, assessed the market value of the acquired land @ ₹ 1,20,000/- per acre for Chahi/Nehri land. Dissatisfied with the award of the Collector, the land owners filed objections. On reference under Section 18 of the Act, the learned court below assessed the market value of the acquired land @ ₹ 3,50,000/- per acre for Nehri land and ₹ 2,50,000/- per acre for Chahi kind of land. It is this award which is impugned in the present appeal by the

landowners.

CM No. 15659-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 614 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.9699 of 2014

Learned counsel for the landowners submitted that the issue raised in the present appeal is squarely covered by judgment of this court in RFA No. 1035 of 2008-- Gurmeet Singh and others v. The State of Haryana and others, decided on 28.2.2012, whereby the compensation for all kinds of land was assessed @ ₹ 3,50,000/- per acre.

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

Accordingly, for the reasons mentioned in Gurmeet Singh's case (supra), the 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. 614 days.

(Rajesh Bindal)
Judge

6.11.2015

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