

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

107/2

RFA No.4573 of 2016(O & M)

Date of Decision:30.11.2016

Daya Nand

....appellant

Versus

State of Haryana

.....respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.R.S.Dhull, Advocate for the appellant

ARUN PALLI, J. (ORAL):

CM Nos.12698-99-CI of 2016

Applications are allowed as prayed for.

CM No.12700-CI of 2016

This is an application seeking condonation of delay of
1188 days in re-filing the accompanying appeal.

For the reasons set out in the application, that is duly
supported by an affidavit, the same is allowed. Delay of 1188 days in
re-filing the appeal is condoned.

CM stands disposed of.

RFA No.4573 of 2016

Learned counsel for the appellant submits that the matter
in issue is squarely covered by an order/judgement dated 22.07.2015
rendered by this Court in RFA No.6524 of 2013 titled “Mahinder and
others versus State of Haryana”, vide which, in the appeals arising

out of the acquisition pertaining to village Ponkar Kheri, Tehsil and District Jind, this Court had enhanced the compensation to ₹11,25,000/- per acre. And, although, in the appeal in hand, the acquired land formed part of revenue estate of village Ramrai, Tehsil and District Jind, but the date of notification as also the purpose of acquisition, was/is the same, and both the villages i.e. Ramrai and Ponkar Kheri are adjacent and abut each other. Thus, the appellant is entitled to the same compensation as in the case of Mahinder and others(supra). Further, in the appeals arising out of the same acquisition, this Court, while relying upon the decision in the case of Mahinder and others (supra), had awarded the same compensation to the landowners.

Notice.

On the asking of the Court, Mr.Shivendra Swaroop, AAG Haryana, present in the Court, accepts notice on behalf of the respondent.

The factual position as set out above, is not disputed by the learned State counsel.

That being so, the present appeal too, is disposed of in terms of the decision of this Court in the case of Mahinder(supra).

30.11.2016

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**(ARUN PALLI)
JUDGE**

Whether speaking/reasoned :	Yes/No.
Whether reportable:	Yes/No