

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

**RFA No.7074 of 2015 (O&M)
Date of decision: 28.1.2016**

Joga Singh and another

.. Appellants

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Navneet Singh, Advocate
for the appellants.

RAMESHWAR SINGH MALIK, J. (Oral)

CM No. 14907-CI-2015

Applicant seeks condonation of delay of 1851 days in filing the appeal.

Learned counsel for the applicant, at the very outset, submits that the present appeal is squarely covered against the appellants by the order dated 22.9.2014 passed by this Court in RFA No. 6294 of 2013 (Gurcharan Singh and others Vs. State of Haryana and another). He further submits that let delay be condoned declaring the appellants not entitled for interest for the period of delay and the appeal may be disposed of in terms of the abovesaid order.

After hearing learned counsel for the applicants-appellants, instant application is allowed for the reasons stated therein. Delay of 1851 days in filing the present appeal is condoned. However, it is made clear that the applicants-appellants shall not be entitled for interest for this period, in view of the law laid down by the Hon'ble Supreme Court in **Imrat Lal and others Vs. Land Acquisition Collector and others, 2015 (2) RCR (civil) 437.**

CM stands disposed of.

RFA No. 7074 of 2015

Instant regular first appeal, at the hands of the landowners, is directed against the impugned award dated 19.5.2010 passed by the learned reference court.

Briefly, the facts of the case are that vide notification dated 2.1.2002 issued under Section 4 of the Land Acquisition Act, 1894 (for short "the Act"), the State of Haryana sought to acquire land measuring 344.31 acres situated in the revenue estate of village Budha Khera, Hadbast No.1, Tehsil and District Karnal, for development and utilization thereof as residential and commercial area for Sector 9 Part, 32 and 33 Part in Urban Estate, Karnal. The same was followed by notification dated 24.12.2002, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector') assessed the market value of the acquired land @₹4,00,000/- per acre for all kind of plain land except low lying area, for which compensation @ ₹3,00,000/- per acre was awarded. Dissatisfied with the award of the Collector, the landowners filed objections. On reference, the learned court below assessed the

market value of the acquired land @ ₹439/-per square yard. It is this award, which is impugned by the landowners before this court.

Learned counsel for the landowners very fairly submitted that the claim made in the present appeal is squarely covered by the judgment dated 27.3.2014 passed by this court in R.F.A. No. 3493 of 2009 (Jagmal Singh and another vs. State of Haryana and others), whereby the award of the learned reference court was upheld. Accordingly, for the reasons recorded in Jagmal Singh's case (supra), the present appeal is dismissed.

**(RAMESHWAR SINGH MALIK)
JUDGE**

28.1.2016
AK Sharma