

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

**RFA No.4816 of 2016 (O&M)
Date of Decision : 15.09.2017.**

Dalip Singh and others

.....Appellants

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Vinod S. Bhardwaj, Advocate for the appellants.
Mr. Shivendra Swaroop, AAG, Haryana.

ARUN PALLI, J. (Oral)

The claimant-landowners are in appeal against the award dated 15.10.2013, rendered by the reference Court, vide which, their claim under Section 18 of the Land Acquisition Act, 1894 (for short, 'the Act'), was dismissed being time barred .

Concededly, the Land Acquisition Collector, vide award No.16, dated 17.10.2006, had assessed the value of the acquired land at ₹15,00,000/- per acre. But, the petitioners challenged the acquisition itself vide CWP No.2773 of 2006. During the pendency of the proceedings before this Court it transpired that not only the Collector had pronounced the award but even the possession of the acquired land had since been obtained by the State. As a result, the petitioners amended their petition and questioned the award, dated 17.10.2006, in July 2007. Subsequently, the writ petition was disposed of, vide order and judgment, dated 12.11.2007.

And the petitioners even realized the compensation on 24.12.2007, in terms

of the award, rendered by the Collector.

Needless to assert that under Section 18 of the Act a landowner is required to file objections to the award made by the Collector within a period of 6 weeks if the landowner(s) was either present or was represented before the Collector at the time of pronouncement of the award or within a period of 6 weeks of the receipt of the notice from the Collector under Section 12(2) of the Act or within 6 months from the date of Collector's award, whichever period shall expires first. Ex facie, the petitioners had a conclusive knowledge of the award, dated 17.10.2006, rendered by the Collector when they amended their writ petition in July 2007 and assailed the same. Concededly, the petitioners filed objections under Section 18 of the Act on 4.2.2008. Thus, their claim under Section 18 of the Act was indeed time barred. On being pointedly asked, learned counsel for the appellants could not show as to how the conclusion arrived at by the reference Court was either contrary to the record or suffered from any material illegality.

That being so, the only and the inevitable conclusion that could be reached; no ground is made out to interfere with the impugned award. The appeal being devoid of merit is accordingly, dismissed.

15.09.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No