

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

**RFA No.372 of 2017 (O&M)
Date of decision: 10.08.2017**

Rajbir Singh and others

... Appellants

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

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

Mr. Manoj Kumar Sangwan, DAG, Haryana.

Mr. Pritam Saini, Advocate
for respondents No.3 & 4.

RAMESHWAR SINGH MALIK, J. (ORAL)

CM-1032-CI-2017

Applicants seek permission to bring on record the legal representatives of appellant No.7 Shanti Devi.

Notice of the application to the counsel opposite.

On asking of the Court, Mr. Manoj Kumar Sangwan, DAG, Haryana accepts notice on behalf of respondents No.1 and 2 and Mr. Pritam Saini, Advocate accepts notice on behalf of respondents No.3 and 4 and fairly state that they have got no objection in case the present application is allowed.

In view of the above, instant application is allowed, for the reasons stated therein, however, subject to all just exceptions and only for the

limited purpose of decision of the present appeal. Amended memo of parties is also permitted to be placed on record.

CM stands disposed of.

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Learned counsel for the parties are ad idem that instant regular first appeal is squarely covered by the order dated 15.02.2016 passed by this Court in **RFA No.3365 of 2014 (Kanwar Vs. State of Haryana and others)**.

Learned counsel for the beneficiary department i.e. HSIIDC-respondents No.3 and 4 submits that let the present appeal be disposed of, in terms of the order dated 15.02.2016 passed by this Court in **Kanwar's** case (supra). So far as the delay of 891 days in filing the present appeal is concerned, he submits that in view of the judgment of the Hon'ble Supreme Court in **Imrat Lal and others Vs. Land Acquisition Collector and others, 2014 (14) SCC 133**, the appellants will not be entitled for the interest for the period of delay of 891 days in filing the appeal.

The abovesaid contention raised by learned counsel for respondents No.3 and 4 has not been disputed or controverted by learned counsel for the appellants. He submits that let the present appeal be disposed of, in terms of the order dated 15.02.2016 passed by this Court in **Kanwar's** case (supra) and he will not press for interest for the appellants for the period of delay of 891 days in filing the appeal. Accordingly, CMs No.1030 and 1031 are allowed.

In view of the abovesaid undisputed fact situation, present appeal is disposed of, in terms of the order dated 15.02.2016 passed by this Court in **Kanwar's** case (supra). The appellants-land owners are held entitled to

receive the compensation for their acquired land at the uniform rate of Rs.1609/- per square yard from the date of notification under Section 4 of the Land Acquisition Act, 1894 (for short 'Act of 1894'). Besides this, the land owners-appellants shall also be entitled to all the statutory benefits available to them under the relevant provisions of the Act, including the solatium and interest etc.

Resultantly, with the abovesaid observations made, present regular first appeal stands disposed of, in the abovesaid terms, however, with no order as to costs.

[RAMESHWAR SINGH MALIK]
JUDGE

10.08.2017
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Whether speaking/reasoned Yes/No

Whether reportable Yes/No