

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

**RFA No.3411 of 2018 (O&M)
Decided on : 30.11.2018**

Charan Singh ... Appellant
Versus
State of Haryana & others ... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Tribhuvan Dahiya, Advocate, for the appellant.
Ms. Vibha Tewari, AAG, Haryana, for respondents No.1 & 3.
Mr.S.K.Sahori, Advocate, for respondent No.2.
Mr. Pritam Saini, Advocate, for respondent No. 4.

G.S.SANDHAWALIA, J. (Oral)

C.M. No. 7603-CI of 2018

Application has been filed for condonation of delay of 1575 days in filing the appeal is allowed, keeping in view the law laid down by the Apex Court in **Imrat Lal and others vs. Land Acquisition Collector and others, 2014 (14) SCC 133** and **Dhiraj Singh (D) through L.Rs. and others vs. Haryana State and others, 2014 (14) SCC 127** and the delay is condoned, subject to the condition that the appellant shall not be entitled for the benefit of interest for 1575 days on the enhanced compensation.

RFA No. 3411 of 2018

The present appeal has been preferred against the award dated 30.10.2013 of the Reference Court, Jhajjar, whereby, the Reference Court has awarded a sum of Rs.14,27,025/- per acre for the land acquired vide notification dated 19.11.2004.

In RFA-1427-2014 titled *Rajit & another Vs. State of Haryana & others*, decided on 12.02.2016, for the notification in question, the Co-ordinate Bench enhanced the market value to Rs.19,91,300/- per acre. Relevant portion of the judgment reads as under:

“Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that this batch of appeals deserve to be partly accepted and the same are hereby allowed to the extent indicated above. The land owners are held entitled to receive the compensation for their acquired land at the uniform rate of Rs.19,91,300/- per acre, i.e. Rs.(12,50,000+4,41,300+3,00,000) from the date of notification under Section 4 of the Act. The land owners are also held entitled to receive the 40% of the market value on account of severance charges. Besides this, the land owners shall be entitled to all the statutory benefits available to them under the relevant provisions of the Act.

Resultantly, with the observations made above, all the aforesaid appeals stand partly allowed, in the afore-said terms, however, with no order as to costs.”

Counsel for the respondents have pointed out that the landowners had further taken the matter to the Apex Court in SLP (C) No (s). 16577-16596 of 2016 titled *Ramphal @ Rampal & another Vs. State of Haryana & others*, which was dismissed on 14.09.2016.

Resultantly, the present appeal is also allowed in the same terms as in **Rajit** (supra). However, the applicants-appellant shall not be entitled for the benefit of interest on the enhanced compensation for the period of delay in filing the appeal i.e. 1575 days.

November 30th, 2018
sailesh

(G.S.SANDHAWALIA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No