

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA No.3566 of 2018 (O&M)

Date of Decision: 20.12.2018

Jagjit Singh

... Appellant

VS.

State of Punjab & Ors.

... Respondents

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

Present: Mr. GS Thind, Advocate for the appellant

Ms. Simran Grewal Randhawa, AAG Punjab

G.S. SANDHAWALIA, J. (Oral)

CM-7980-CI-2018

Delay application

Application has been moved for condonation of delay of 2031 days in filing the appeal.

Keeping in view the averments made in the application which are duly supported by affidavit, the delay of 2031 days in filing the appeal is condoned conditionally in view of the judgments of the Apex Court in *Imrat Lal & others Vs. Land Acquisition Collector & others 2015 (2) RCR (Civil) 437* and *Dhiraj Singh (deceased) through LRs Vs. Haryana State & others 2015 (2) RCR (Civil) 507*, as interest of the State can be protected by denying the interest for the period of delay of 2031 days in filing the appeal.

Accordingly, the application stands disposed of.

Main case

The Reference Court Patiala vide order dated 30.03.2012 enhanced the market value to ₹ 24,20,000/- per acre for the notification dated 09.04.2001.

It has been pointed out that the Coordinate Bench in **RFA No.2741 of 2012 Gurpreet Singh vs. State of Punjab & Ors.** and other connected

@ ₹ 1400/- per sq.yard for the notification dated 09.04.2001. The relevant portion reads as under:-

“The appeals filed by the land owners 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.1400/- per square yard, from the date of notification under Section 4 of the Act. They are also held entitled to receive 30% of the abovesaid market value on account of severance charges. Besides this, land owners shall be entitled for all the statutory benefits available to them, under the relevant provisions of the Act.

Resultantly, with the observations made above, all these 52 appeals stand disposed of, in the abovesaid terms, however, with no order as to costs.”

Counsel for the State could not dispute the fact that the appeals of both the landowners and the State bearing SLP No.38307-46/16 were dismissed by the Apex Court on 23.01.2017.

Keeping in view the above, the present appeal is allowed in terms of **RFA No.2741 of 2012 Gurpreet Singh vs. State of Punjab & Ors.**, as reproduced above, and the amount of compensation is fixed @ ₹ 1400/- per sq.yard along with 30% severance charges plus all statutory benefits. The appellant shall not be entitled to interest on the enhanced compensation for the delay of 2031 days in filing the appeal.

20.12.2018

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**(G.S. Sandhawalia)
Judge**

1. Whether speaking/reasoned?
2. Whether reportable?

**Yes
No**