

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

**RFA No.3595 of 2018 (O&M)
Decided on : 22.11.2018**

Hoshiar Singh & others ... Appellants
Versus

State of Haryana & others ... Respondents

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

Present: Mr. S.P.Chahar, Advocate, for the applicant/appellants.

Ms. Shivendra Swaroop, AAG, Haryana.

G.S.SANDHAWALIA, J. (Oral)

C.M. No. 8085-CI of 2018

Application has been filed for condonation of delay of 3841 days in filing the present appeal.

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**, delay is condoned, subject to the condition that the appellant shall not be entitled for the benefit of interest on the enhanced compensation, for the delay period, mentioned above.

CM stands disposed of.

RFA No. 3595 of 2018

The present appeal has been preferred against the award dated 17.10.2007 of the Reference Court, Rohtak, whereby, the Reference Court has fixed the market value @ Rs.7,87,000/- per acre, by enhancing

it from Rs.3,00,000/-, as awarded by the Land Acquisition Collector, for the land falling in Village Ismaila-9 Biswa, Tehsil & District Rohtak, for the notification dated 15.04.2001.

This Court in **RFA No.3491 of 2013 'Smt. Indirawati @ Indira Devi and others Vs. State of Haryana through Collector, Rohtak and others'** decided on 26.04.2017, has enhanced the compensation to Rs. 11,64,375/- per acre while recording as under:-

“In conspectus of the above:-

- (a) the claimants/landowners whose land formed part of the revenue estate of village Kharawar shall be entitled to compensation @ ₹15,52,500/- per acre;
- (b) those whose land was situated in village Gandhra shall be entitled to compensation @ ₹12,42,000/- per acre;
- (c) the land owners whose land formed part of the revenue estate of village Ismaila-11 biswa and Ismaila-9 biswa shall be awarded compensation @ ₹11,64,375/- per acre; and,
- (d) those whose land was situated in village Sampla, Kheri Sampla and Garhi Sampla shall be awarded compensation @ ₹7,76,250/- per acre.

All the appeals preferred by the claimants as also the cross-objections are disposed of in the above terms. And, as a necessary consequence, the appeals filed by the State are dismissed. The award(s) rendered by the reference Court are modified accordingly. Needless to assert that claimants shall also be entitled to all the statutory benefits as admissible in law.”

It is further pointed out that SLP(Civil) No.10014 of 2018 titled *Raj Singh (dead) by LRs & others Vs. State of Haryana & others*, preferred by the landowners, has been dismissed by the Apex Court on 31.04.2018. It has also been brought to the notice of this Court that

cross-appeal, filed by the State, bearing RFA-1228-2009, was also part of the bunch of the above-said cases.

Resultantly, the present appeal is also allowed in the same terms. However, it is clarified that the appellants shall not be entitled for interest on the enhanced compensation for the delayed period of 3841 days in filing the appeal.

November 22nd, 2018
sailesh

(G.S.SANDHAWALIA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>