

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

RFA No.401 of 2018 (O&M)
Decided on: 22.03.2018

Narpal Singh @ Harpal th. LRs

....Appellants

Versus

State of Haryana & others

...Respondents

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

Present: Mr.S.K.Daaria, Advocate, for the appellants.

G.S. SANDHAWALIA, J. (Oral)

CM-1029-CI-2018

Application for condonation of 996 days of delay in re-filing the appeal, is allowed, in view of the averments made in the application, duly supported by an affidavit.

CM-1030-CI-2018

Application for condonation of 108 days of delay in filing the appeal, is allowed, in view of the averments made in the application, duly supported by an affidavit.

CM-1028-CI-2018 in/and RFA-401-2018

Counsel fairly submits, at the outset, that the matter in issue is squarely covered by the order and judgment rendered by this Court in RFA No.1824 of 2006 titled *Sudama & others Vs. The State of Haryana & another*, dated 01.10.2010 vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the claimants/landowners to Rs.1216/- per sq.yards from Rs.361/- per sq.yards, as awarded by the Reference Court.

Since the Reference Court, vide impugned award dated 30.08.2013, has already awarded the same compensation to the appellants, in terms of the

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decision of this Court in the case of Sudama & others (supra), no further enhancement in this appeal is feasible, particularly when the decision of this Court in the said case has since been affirmed by the Supreme Court in Civil Appeal No.5599 of 2011 decided on 27.11.2014. Nothing could be pointed out that any other sale exemplar was on record and not taken into consideration by the Reference Court.

Consequently, the present appeal is dismissed.

22.03.2018

Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*