

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

**RFA No.441 of 2018 (O&M)
Decided on : 06.09.2018**

Khubi Ram and others

... Appellants

Versus

State of Haryana and others

... Respondents

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

Present : None for the appellants.

Ms. Vibha Tewari, AAG, Haryana
for respondents No.1 and 2.

Mr. Pritam Singh Saini, Advocate
for respondents No.3 and 4.

G.S. Sandhawalia, J. (Oral)

None is present on behalf of the appellants. Even on the last date of hearing none was present. While issuing notice of motion on 20.03.2018, the issue was raised by the counsel for the appellants that the case is covered by the judgment passed in **SLP (C) Nos.20497-20500 of 2016 'Bharti and another Vs. State of Haryana and others'** decided on 21.09.2017. Thereafter, counsel for the State has confirmed that in the above said case name of village Yadupur, Tehsil Palwal, District Faridabad did not find mention and the market value was not fixed of the said village, for which ₹12,50,000/- per acre has been now assessed by the Land Acquisition Collector for the notification dated 25.08.2005 issued under Section 4 of the Land Acquisition Act, 1894 (for short 'the Act'). The land was acquired for the construction of Express Highway connecting National Highway No.1-10-8 & 2 Kundli Manesar Palwal.

The impugned Award dated 30.05.2011 would go on to show that apart from oral evidence, the landowners had failed to place on record any other sale deed as such to substantiate their claim for enhancement. Rather sale deeds (Ex.R-1 and R-2) of the said village showed that market value was only ₹2,40,000/-per acre and, therefore, the amount awarded by the Land Acquisition Collector even is in excess of that.

Resultantly, this Court is of the opinion that no case is made out for entertaining the appeal, which is even barred by limitation by 2344 days of delay in filing the same.

Accordingly, both the appeal and application for condonation of delay are dismissed.

SEPTEMBER 06, 2018
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No