

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

**RFA No.495 of 2018 (O&M)
Date of Decision:20.04.2018**

Tara Singh (deceased) through his LR's ...Appellants

Versus

State of Haryana and others ...Respondents

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

Present: Mr. Vineet Chaudhary, Advocate
for the appellants.

Mr. Shivendra Swaroop, AAG, Haryana,
for respondent Nos.1 to 4.

G.S. SANDHAWALIA, J. (ORAL)

CM-1319-CI-2018

Application for condonation of delay of 2865 days in filing the present appeal has been filed.

Though the application, as such, does not contain sufficient cause but the fact remains that keeping in view 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 LR's Vs. Haryana State & others 2015 (2) RCR (Civil) 507**, that equities could be balanced by denying the interest on the enhanced compensation for the period of delay in filing the appeal. The present application is thus liable to be allowed.

Accordingly, the present application is allowed, with the condition that for the period of delay in filing the appeal, the applicants-appellants shall not be entitled for any interest on the amount of

enhanced compensation.

RFA No.495 of 2018:

The present appeal has been filed against the award dated 04.01.2010 passed by the Reference Court, Kaithal whereby the market value has been assessed @ Rs.6,00,000/- per acre for the land falling in village Kharal for which notification under Section 4 of Land Acquisition Act, 1894 was issued on 18.08.2005.

Counsel for the appellants stated that the present matter is covered with RFA No.1714 of 2009 titled as **State of Haryana and another Vs. Pala Ram and others** decided on 01.05.2012 (Annexure A1) wherein the market value has been assessed @ Rs.7,00,000/- per acre for the said village.

Counsel for the State does not dispute the said fact and only opposes the prayer for grant of interest on account of delay of 2865 days.

Accordingly, the appeal is allowed. The appellants are held entitled for compensation @ of Rs.7,00,000/- per acre along with all statutory benefits. However, the appellants shall not be entitled to interest on compensation for the period of delay in filing the appeal i.e. 2865 days.

20.04.2018
pvd

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No