IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA-2012-2019 (O&M)
Date of decision: 19.09.2019

Manmohan Singh ....Appellant

Versus

Land Acquisition Collector, Ambala & another ...Respondents

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

Present: Ms.Rajvinder Kaur, Advocate, for the appellant.
Ms.Vibha Tewari, AAG, Haryana, for respondent No.1.
None for respondent No.2.

G.S. SANDHAWALIA, J. (Oral)

CM-5088-CI-2019

Application for condoning the delay of 2095 days in filing the appeal is allowed, in view of the averments made in the application, duly supported by affidavit and a condition is imposed upon the landowner that he will not be entitled for the interest on the enhanced amount of compensation for the period of delay, as the interest of the State can be protected, in view the law laid down in the judgments of the Apex Court passed 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 of 2095 days in filing the application is hereby condoned.

CM stands disposed of.

RFA-2012-2019

The appeal is directed against the Award of the Reference Court, Ambala dated 10.04.2013, for the notification dated 10.07.2007 issued under Section 4 of the Land Acquisition Act, 1894, for the land falling in Village Patti Jattan Tehsil & District Ambala, which was acquired for the construction of New Fruit & Vegetable Market, Ambala City, the market value has been assessed @ Rs.19,20,000/- upto the depth of 2 acres from GT Road and @ Rs.16,00,000/- 2 acres beyond that. Reliance has been placed upon the earlier award dated 21.09.2011 (Ex.P-3) for fixing the market value. This Court, in RFA-7876-2011 titled *Basant Singh Vs. State of Haryana & another,* decided on 26.04.2019, for the said notification, has assessed the market value @ Rs.37,87,000/- per acre along with all statutory benefits. Resultantly, the present appeal is also liable to be allowed, by fixing the market rate in the above-said terms.

Accordingly, the present appeal is allowed to maintain parity in the above said terms by fixing the compensation at Rs.37,87,000/- along with all statutory benefits, except the benefit of interest for a period of 2095 days on account of delay in filing the appeal.

19.09.2019 **(G.S. SANDHAWALIA)**
Sailesh **JUDGE**

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*