

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

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**RFA No.2624 of 2019 (O&M) and
other connected appeals
Decided on : 17.12.2019**

Darshan Pal

... Appellant

Versus

State of Punjab and others

... Respondents

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

Present: Mr. J.K. Singla, Advocate
for the appellant (s).

Ms. Ambika Bedi, AAG, Punjab
for respondents No.1 & 2.

None for respondent No.3-Mandi Board.

G.S. Sandhawalia, J. (Oral)

Delay applications

Applications have been filed for condoning the delay for the period ranging between 2700 days to 2800 days in filing the present appeals against the Award of the Reference Court, Bathinda dated 31.10.2011.

The reasons for condoning the delay is that review applications had been filed before the Reference Court, which were adjourned sine die on 23.09.2016, since certain other landowners had challenged the award before this Court. In such circumstances, the delay is sought to be condoned.

Notice of the applications had been issued to the respondents alongwith the main appeals on 21.11.2019 for 09.12.2019. None had put in appearance on the said date, in spite of service being effected and the contest is only made by respondent No.3-Punjab State Agriculture

RFA No.2624 of 2019 (O&M) and other connected appeals

Marketing Board (Mandi Board). It is pointed out that matters stand covered by the judgment of this Court passed in **RFA No.5978 of 2013 'Punjab State Agricultural Marketing Board (Mandi Board) Vs. Ludhar Mal and others'** and other connected appeals decided on 22.02.2019.

It is pertinent to notice that when the above said appeals were decided also none had put in appearance on behalf of the Mandi Board.

Resultantly, this Court is of the opinion that the delay is liable to be condoned, conditionally 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 in **'Dhiraj Singh (D) through LRs. and others Vs. Haryana State and others'** 2015 (1) SCC (Civil) 236.

The delay for the period ranging between 2700 days to 2800 days in filing the present appeals is condoned, with the condition that the appellants shall not be entitled for interest on the enhanced compensation.

CMs stand disposed of.

Main appeals

The present order shall dispose off 82 appeals i.e. **RFA No.2624 to 2634, 2647 to 2657, 2663, 2679 to 2703, 2714 to 2733, 2899, 2999 to 3004, 3066 to 3071 and 3151 of 2019**, which are directed against the Award of the Reference Court dated 31.10.2011, which was

subject matter of consideration before this Court in the cases filed by the landowners and by the Mandi Board. The appeals of the landowners were allowed and those of the Mandi Board were dismissed in **Ludhar Mal (supra)**. The relevant portion of the said judgment reads as under:-

“Relief

45. Accordingly, the present appeals of the landowners are allowed, whereas those of the Mandi Board are dismissed. The market value is assessed @ ₹300/- per square yard (₹14,52,000/- per acre) alongwith all statutory benefits for the land falling in Khasra No.388//24, 25, 389//21, 22, 395//1, 2, 9, 10, 11, 12, 19, 20, 21, 22, 396//4, 5, 6, 7, 14, 15, 16, 17, 24, 25, 403//4 & 5, 404//1 & 2 and @ ₹180/- per square yard (₹8,71,200/- per acre) alongwith all statutory benefits for the land which was behind the above said land and not mentioned in the abovesaid numbers.

46. All the pending civil miscellaneous applications, if any, stand disposed of, accordingly.”

Resultantly, this Court is of the opinion that landowners being similarly situated are entitled for the same amount of compensation. The appeals are, according, disposed off in the above said terms. However, it is made clear that the landowners will not be entitled for the benefit of interest on the enhanced compensation for the delay period in filing the appeals ranging from 2700 days to 2800 days

Disposed off.

DECEMBER 17, 2019
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No