

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

**214**

**RFA-2924-2018**

**Date of decision: 25.02.2019**

Sama Chauhan

....Appellant

Versus

State of Haryana & another

...Respondents

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

Present: Mr.Amit Jain, Advocate, for the appellant.

**G.S. SANDHAWALIA, J. (Oral)**

**CM-6385-CI-2018**

Notice in the application for condonation of delay of 1337 days in filing the present appeal and for disposal in terms of judgment dated 05.09.2017, passed in **CA-11913-11945-2017** titled *State of Haryana & another Vs. Pushpendra Kumar & others*, as it is submitted that for the land falling in Village Hayatpur, for notification dated 11.02.2010, the market value has been reduced from Rs.3,52,00,000/- per acre, by 15%, to Rs.2,99,20,000/-. Relevant portion of the judgment reads as under:

“10. In our opinion, the deduction of 15% towards development would have been sufficient, which ought to have been made in the instant cases, in the peculiar facts of the case, considering the potentiality of the area in question and the development which has taken place all around. This order not to be treated as a precedent in any other case. Thus, we modify the determination made by the High Court to the above extent only. Let deduction be made accordingly.”

Ms.Vibha Tewari, AAG, Haryana accepts notice on behalf of the State. Copy of the paperbook has been supplied to her.

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Resultantly, in view of the above fact and in view of 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** and in view of the averments made in the application, duly supported by affidavit, delay of 1337 days in filing the appeal is condoned, subject to the condition that the appellant shall not be entitled for the benefit of interest for the said period.

CM stands disposed of.

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Resultantly, keeping in view the above, the present appeal is also disposed of, in the same terms, by clarifying that the appellant shall not be entitled for interest on the enhanced compensation for the delayed period.

25.02.2019  
*Sailesh*

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

*Whether speaking/reasoned:* *Yes/No*

*Whether Reportable:* *Yes/No*