

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA No.4871 of 2017 (O&M)
Decided on : 21.02.2019

Rajbir (deceased) th LRs & others

... Appellants

Versus

State of Haryana & others

... Respondents

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

Present : Ms.Anita Balyan, Advocate, for the appellants.

Ms. Vibha Tewari, AAG, Haryana.

G.S. Sandhawalia, J. (Oral)

This order shall dispose of 5 appeals bearing RFA-4871, 4872, 4934, 5495 & 5599-2017.

Counsel for the appellants submits that the matters are squarely covered by the judgment rendered on 20.11.2018, in a bunch of cases, the lead case of which is RFA-3504-2017 titled *Jai Narayan Vs. State of Haryana & another*. It is submitted that for the same Village Lagarpur and against the same award dated 13.12.2011 of the Reference Court, Jhajjar, the matter has been remanded as evidence was not led, subject to payment of costs of Rs.10,000/- per appeal, to be deposited with the District Legal Services Authority. A further condition had also been put that the landowners shall not be entitled for the benefit of interest on the enhanced compensation, if any, for the period of delay. In the present case, the said period of delay ranges from 1713 to 1946 days.

Accordingly, the present appeals are also disposed of and the matter is remanded to the Reference Court, on the following conditions, so that the landowners are not gravely prejudiced on account of having lost their agricultural land which has been held to be the lifeline of the agriculturists by the Apex Court in **K.Subbarayudu & others Vs. Special Deputy Collector (Land Acquisition) (2017) 8 SCALE 61:**

- (i) For the negligence of the landowners, they shall pay costs of Rs.10,000/- per appeal, which shall be deposited with the District Legal Services Authority and on deposit of the same, the Reference Court shall proceed to decide the matter afresh by giving them adequate opportunity to produce additional evidence in support of their claim. In case of non deposit of costs, the present appeal(s) shall be deemed to be dismissed,
- (ii) In case the amount is enhanced, they shall not be entitled for the benefit of interest on the enhanced compensation, for the period ranging from 1713 to 1946 days.

FEBRUARY 21st, 2019
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(G.S.SANDHAWALIA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>