

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

**203**

**RFA No.5226 of 2018 (O&M) and  
other connected appeals  
Decided on : 18.12.2019**

Om Singh

... Appellant

Versus

State of Haryana and another

... Respondents

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

Present: Mr. S.P. Chahar, Advocate  
for the appellant (s).

Ms. Vibha Tewari, AAG, Haryana  
for the respondent-State.

Mr. Dinesh Saini, Advocate for  
Mr. Pritam Singh Saini, Advocate  
for the respondent-HSIIDC.

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

**Delay applications**

Applications filed for condonation of delay of 1719 days in filing the appeals are allowed, 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 **Dhiraj Singh (D) through L.Rs. and others vs. Haryana State and others, 2014 (14) SCC 127** and the delay is condoned, subject to the condition that the appellants shall not be entitled for the benefit of interest for 1719 days on the enhanced compensation.

CMs stand disposed of.

**Main appeals**

The present order shall dispose off 5 appeals i.e. **RFA No.5226, 5227, 5229, 5230 and 8458 of 2018**, which have been preferred against the award dated 30.10.2013 of the Reference Court,

Jhajjar, whereby, the Reference Court has awarded a sum of Rs.14,27,025/- per acre for the land acquired vide notification dated 19.11.2004.

In RFA-1427-2014 titled *Rajit & another Vs. State of Haryana & others*, decided on 12.02.2016, for the notification in question, the Co-ordinate Bench enhanced the market value to Rs.19,91,300/- per acre. Relevant portion of the judgment reads as under:

“Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that this batch of appeals deserve to be partly accepted and the same are hereby allowed to the extent indicated above. The land owners are held entitled to receive the compensation for their acquired land at the uniform rate of Rs.19,91,300/- per acre, i.e. Rs.(12,50,000+4,41,300+3,00,000) from the date of notification under Section 4 of the Act. The land owners are also held entitled to receive the 40% of the market value on account of severance charges. Besides this, the land owners shall be entitled to all the statutory benefits available to them under the relevant provisions of the Act.

Resultantly, with the observations made above, all the aforesaid appeals stand partly allowed, in the afore-said terms, however, with no order as to costs.”

Counsel for the respondents have pointed out that the landowners had further taken the matter to the Apex Court in SLP (C) No (s). 16577-16596 of 2016 titled *Ramphal @ Rampal & another Vs. State of Haryana & others*, which was dismissed on 14.09.2016.

Resultantly, the present appeals are also allowed in the same

terms as in **Rajit** (supra). However, the applicants-appellants shall not be entitled for the benefit of interest on the enhanced compensation for the period of delay in filing the appeal i.e. 1719 days.

**DECEMBER 18, 2019**  
*Naveen*

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

|                            |        |
|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether Reportable:        | Yes/No |