

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

**RFA No.4250 of 2019 (O&M)
Decided on : 17.02.2020**

Santra Devi

... Appellant

Versus

State of Haryana & others

... Respondents

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

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

G.S. Sandhawalia, J. (Oral) :-

CM-10802-CI-2019

Notice in the application for condonation of delay of 1322 days
in filing the appeal.

Ms.Vibha Tewari, AAG, Haryana accepts notice on behalf of
the State.

Accordingly, keeping 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** and in view of the averments made in the application, duly
supported by affidavit, delay of 1322 days in filing the present appeal is
condoned. Condition is put that the appellant shall not be entitled for the
benefit of interest for the said period on the enhanced compensation.

CM stands disposed of.

RFA-4250-2019

Present appeal, filed under Section 54 of the Land Acquisition
Act, 1894, against the award of the Reference Court, Faridabad dated
16.10.2015, for the notification dated 14.08.2008. The land falls in Village

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Budhena, as per the memo of parties. The Reference Court has assessed the market value @ Rs.2000/- per sq.yard, while placing reliance upon the earlier assessment made on 16.09.2015, to assess the market value, which was set aside by the Apex Court. For the said notification in question, this Court, in RFA-7108-2012 titled *Ram Pal & others (II) Vs. Land Acquisition Collector & another*, re-decided the case on 31.05.2019 and awarded a sum of Rs.3300/- per sq.yard (Rs.1,59,72,000/- per acre) for the land falling within the Municipal limits of Faridabad of the said village. For the other land of the said villages, the market value is fixed @ Rs.2970/- per square yard (Rs.1,43,74,800/- per acre). Relevant portion of the judgment reads as under:

“Relief

199. Keeping in view the above, the market value alongwith all statutory benefits is fixed as under:-

(i)

(ii)

(iii) For the third notification dated 14.08.2008, the market value is fixed @ Rs.3300/- per square yard (Rs.1,59,72,000/- per square yard) for the land falling within the limits of Municipal Corporation, Faridabad of villages Budhena, Baselwa and Mawai. For the other land of the said villages, the market value is fixed @ Rs.2970/- per square yard (Rs.1,43,74,800/- per acre).”

Accordingly, the present appeal is also disposed of in the same terms. However, the appellant shall not be entitled for interest on the enhanced compensation for the period of 1322 days.

February 17th, 2020

sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No