

SUPREME COURT OF INDIA

Ramo Bai & Ors.

Vs.

State of Haryana & Ors.

C.A.No.4243-4254 of 2016

(Kurian Joseph and R.Banumathi.JJ.,)

19.04.2016

JUDGMENT

Kurian Joseph, J.,

SLP(Civil)No.9520-9531 of 2014

1. Leave granted.

2. The issue raised in all these appeals pertains to the claim for enhancement of compensation in respect of the land acquired from the appellants. In the High Court they have been granted compensation at the rate of Rs.235/- per Sq. Yd. However, in the case of adjoining lands, the owners have been granted land value at the rate of Rs.325/- per sq.Yd. as per the decision of this Court in the case of *Ashrafi & Ors. Vs. State of Haryana reported in'*

3. On a pointed question, the learned counsel for respondents has fairly submitted that the lands belonging to the appellants herein are also similarly situated as of Ashrafi case (supra). However, the learned counsel has made two strong submissions (1) all the appeals are filed after huge delay; (2) in one case of similar nature, this Court has granted compensation only at the rate of Rs.250/- per Sq. Yd. in the case of the Inder Singh versus State of Haryana & Ors. in C.A. No. 13788/2015 dated 23.11.2015.

4. It is true that in the case of Inder Singh (supra), this Court has limited the compensation of Rs.250/- per Sq.Yd. on examination of the materials placed before the Court. But, we find that in all other cases covered by the same Notification, the compensation has been enhanced at the rate of Rs.325/- per Sq. Yd. by this Court. The learned counsel for the appellants also submits that reportedly a Review Petition has been filed in the case of Inder Singh (supra).

5. Be that as it may. Since this Court has granted compensation at the rate of Rs.325/- per Sq.Yd. in all cases except that of Inder Singh, covered by the same Notification, we are of

the view that the interest of justice would be advanced if the compensation at the rate of Rs.325/- per Sq.Yd. is also granted to the appellants herein.

6. However, we find force in the submission made by the learned counsel for the State that in any case appellants would not be entitled to any statutory benefits for the period covered by the delay in filing or refiling the special leave petitions on which leave has been granted.

7. Therefore, all these appeals are partly allowed holding that appellants will be entitled to the land value fixed at Rs.325/- per Sq.Yd. alongwith all statutory benefits. However, the appellants shall not be entitled to any statutory benefits for the period of delay in filing the special leave petitions and the period of delay in refiling the special leave petitions after curing the defects.

Judgment Referred.

¹(2013) 5 SCC 0527