

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

**CM No.15097-CI of 2014 with
Cross Obj. No.71-CI-2014 in/&
RFA No.2966 of 2005 (O&M)
Date of Decision : 19.10.2016.**

Punjab Small Scale Industries and Export Corporation

.....Appellant

Versus

Baldev Singh and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Sanjeev Sharma, Advocate for the appellant.

Mr. Karamjit Verma, Advocate
for the cross-objectors/respondents.

ARUN PALLI, J. (Oral)

CM No.15097-CI of 2014

This is an application for condonation of delay of 2851 days in filing the cross-objections by the landowners. All what has been urged by the learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 27.02.2015, rendered by this court in RFA No.4241 of 2006 (Vijay and another Vs. State of Punjab and others and other connected matters), vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation to ₹110/- per square yard.

Notice in the application.

Mr. Sanjeev Sharma, Advocate, present in Court, accepts notice on behalf of the non-applicant/appellant.

The factual position, as set out above, is not disputed by the learned counsel for the non-applicant/appellant.

I have heard learned counsel for the parties and perused the records.

In the wake of the decision of the Hon'ble Supreme Court in *Imrat Lal and others v. Land Acquisition Collector and others*, 2015(2) RCR (Civil) 437 and *Dhiraj Singh (D) Tr. LRs. v. Haryana State and others*, 2015 (2) RCR (Civil) 507, delay of 2851 days in filing the cross-objections is condoned. However, for the period of delay the applicants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

Cross objection No.71-CI of 2014 in/and RFA No.2966-2005

For, the learned counsel for the parties are *ad idem* that the matter in issue is squarely covered by the judgment dated 27.02.2015, rendered by this Court in RFA No.4241 of 2006 (*Vijay and another Vs. State of Punjab and others and other connected matters*), vide which, the appeals preferred by the appellant-corporation were dismissed, whereas the compensation awarded to the landowners was enhanced to ₹110/- per square yard, this appeal shall have to be dismissed but the cross-objections deserve to be disposed of in terms of the said decision.

In the wake of the decision of this Court in the case of *Vijay and another (supra)*, the appeal is dismissed whereas the cross-objections are disposed of in terms thereof. However, the cross-objectors shall not be entitled to interest for the period of delay in filing the cross-objections i.e. 2851 days.

19.10.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No