

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

**CM No.3923-CI of 2016 in/and
RFA No.1093 of 2016 (O&M)
Date of Decision : 27.10.2016.**

Dev Dutt and others

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Navneet Singh, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM No.3923-CI of 2016

This is an application for condonation of delay of 309 days in filing the accompanying appeal.

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 03.11.2015, rendered by this court in RFA No.7958 of 2011 (Sultan Singh Vs. State of Haryana and others), vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation, awarded to the landowners.

Notice in the application.

On the asking of the Court, Ms. Safia Gupta, AAG, Haryana, present in Court, accepts notice on behalf of respondents No.1 and 2 and Mr. Pritam Saini, Advocate accepts notice on behalf of respondent No.3.

The factual position, as set out above, is not disputed by the learned counsel for the respondents.

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 309 days in filing the accompanying appeal is condoned. However, for the period of delay the applicants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

RFA No.1093 of 2016

For, the learned counsel for the parties are *ad idem* that the matter in issue is squarely covered by the decision rendered by this court in *Sultan Singh's case (supra)*, the present appeal is disposed of in terms of the said decision. However, the appellants shall not be entitled to interest for the period of delay in filing the appeal i.e. 309 days.

27.10.2016
Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No