

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

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RFA No.1534 of 2016(O & M)

Date of Decision:11.11.2016

Jagbir (deceased) th.LRs

....appellants

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Rohit Chaudhary, Advocate for
Mr.Rakesh Nehra, Advocate
for the appellants

Ms.Safia Gupta, AAG Haryana

ARUN PALLI, J. (ORAL):

CM No.4892-CI of 2016

Office report indicates that notices could not be issued to respondents No.3 to 15, for, counsel for the appellants did not furnish the process fee. However, it is pointed out by counsel for the parties that the said respondents are merely proforma parties, and, thus, need not be served.

This is an application for condonation of delay of 2230 days in filing the accompanying appeal. Despite opportunity, no reply has been filed to the said application.

All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgement dated 06.11.2015, rendered by this Court in **RFA No.3787 of 2009**, titled “Gaje Singh and others versus State of Haryana and another”, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation for the land that was acquired for Sector 17, to ₹ 14,64,000/- per acre upto the depth of two acres from the main road and ₹ 11 lakhs per acre, for rest of the land.

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

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

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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 2230 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.

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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 Gaje 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.2230 days.

11.11.2016

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No