

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

**RFA No.1546 of 2016 (O&M)
Date of Decision : 22.07.2016.**

Kamikar Singh (deceased) through LRs and others

.....Appellants

Versus

**The Collector, Land Acquisition, Industries Department, Punjab,
Chandigarh and another**

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Rajesh Punj, Advocate for the appellants.
Mr. K.K.Gupta, Addl. A.G. Punjab.

ARUN PALLI, J. (Oral)

CM-4908-CI-2016

Allowed as prayed for.

CM No.4909-CI of 2016

This is an application for condonation of delay of 1093 days in filing the accompanying appeal. All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 25.08.2008, rendered by this court in RFA No.1881 of 2000, (Labh Singh alias Prem Singh Vs. The Collector, Land Acquisition, Industries Department Punjab, Chandigarh and other connected cases, vide which this court had enhanced the compensation awarded to the landowners.

Notice in the application.

Mr. K.K.Gupta, Addl. A.G. Punjab, present in Court accepts notice on behalf of the respondents.

Learned State counsel does not dispute the factual position, set out above.

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 1093 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.

CM No.4910-CI of 2016

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed subject to all just exceptions. Consequently, the delay in making good the deficiency in Court fee is condoned.

Main case

For, the learned counsel for the parties are *ad idem* that the matter in issue is squarely covered by the judgement dated 25.08.2008, rendered by this court in *Labh 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. 1093 days.

22.07.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE