

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

RFA No.1674 of 2016 (O&M)

Date of Decision: 09.09.2016

Jagmal

..Appellant

versus

State of Haryana through the Collector, Bhiwani and another

..Respondents

CORAM: **HON'BLE MR. JUSTICE ARUN PALLI**

Present: Mr. Jagjeet Beniwal Advocate, for the appellant.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

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ARUN PALLI, J. (ORAL)

CM No.5179-C1 of 2016

Allowed as prayed for.

CM No.5180-CI of 2016

This is an application for condonation of delay of 272 days in filing the accompanying appeal. All what has been urged by the learned counsel for the applicant is that the matter in issue is squarely covered by the judgment dated 15.09.2015, rendered by this court, in RFA No.3347 of 2015 (**Smt. Sarti 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 awarded to the land-owners.

Notice in the application

On the asking of the court, Ms. Safia Gupta, Assistant Advocate General, Haryana, accepts notice on behalf of the respondents.

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

CM stands disposed of.

RFA No.1674 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 **Smt. Sarti's case** (supra), the present appeal is disposed of in terms of the said decision. However, the appellant shall not be entitled to interest for the period of delay in filing the appeal, i.e. 272 days.

09.09.2016
VK

(ARUN PALLI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No