

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

RFA No.1928 of 2016(O&M)

Date of decision: 26.07.2016

Joginder Singh and others

... Appellants

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Chander Pal Tiwana, Advocate for the appellants.
Ms. Safia Gupta, AAG, Haryana.

ARUN PALLI J. (Oral)

CM-5944-CI-2016

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, the delay of 26 days in re-filing the accompanying appeal is condoned.

CM-5946-CI-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 LRs of late Jasvinder Singh (appellant No.3), who is stated to have passed away on 04.05.2013, are brought on record for the purpose of pursuing the present appeal only.

CM-5945-CI-2016

This is an application for condonation of delay of 1113 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 29.07.2015, rendered by this court in RFA No.7214 of 2012 - Janardhan v. State of Haryana and another, vide which compensation awarded to the landowners was enhanced by this court to ₹ 5,30,000/- per acre.

Notice in the application.

On the asking of the court, Ms. Safia Gupta, AAG, Haryana, present in court, accepts notice on behalf of 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 1113 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-1928-2016

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 Janardhan'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. 1113 days.

July 26, 2016
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned: YES/NO

Whether Reportable: YES/NO