

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

**RFA No.1975 of 2016 (O&M)
Date of Decision : 23.07.2016.**

Randhir and others

.....Appellants

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Kamal Mor, Advocate for the appellants.

Ms. Safia Gupta, AAG, Haryana.

ARUN PALLI, J. (Oral)

CM No.6034-CI of 2016

This is an application for condonation of delay of 885 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 17.05.2016, rendered by this court in RFA No.3158 of 2013, State of Haryana and another Vs. Rohtas and others, vide which this court had enhanced the compensation awarded to the landowners.

Notice in the application.

Ms. Safia Gupta, AAG, Haryana, 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 885 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.6035-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, leave is granted to the legal representatives of late Satbir son of Chandgi Ram, who is stated to have passed away on 07.05.2011, during the pendency of the reference, to institute and maintain the present appeal.

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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 the case of *Rohtas and others* (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. 885 days.

23.07.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE