

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

RFA No.2067 of 2016(O&M)
Date of decision: 10.08.2016

Mahipal

... Appellant

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Vikrant Hooda, Advocate for the appellant.
Mr. Shivendra Swaroop, AAG, Haryana,
for respondents No.1 & 2.
Ms. Chetna Rao, Advocate for respondent No.3-UOI.

ARUN PALLI J. (Oral)

CM-6321-CI-2016

This is an application for condonation of delay of 580 days in filing the accompanying appeal.

All what has been urged by learned counsel for the applicant is that the matter in issue is squarely covered by the judgment, dated 27.02.2016, rendered by this court in RFA No.7705 of 2014 & other connected matters - Om Parkash and others v. State of Haryana and others, vide which this court has enhanced the compensation awarded to the landowners.

Notice in the application.

On the asking of the court, Mr. Shivendra Swaroop, AAG, Haryana and Ms. Chetna Rao, Advocate, accept notice on behalf of respondents No.1 & 2 and 3, respectively.

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

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 580 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-2067-2016

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 Om Parkash's case (supra), the present appeal is disposed of in the same terms. However, the appellant shall not be entitled to interest for the period of delay in filing the appeal i.e. 580 days.

August 10, 2016
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:

YES/NO

Whether Reportable:

YES/NO