

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

RFA No.2196 of 2016(O&M)

Date of Decision:12.08.2016

Malkhan Singh (deceased) through his LR

... Appellant

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr.Sandeep Sharma, Advocate for the appellant(s).
Ms. Safia Gupta, AAG, Haryana.
Mr. Pritam S. Saini, Addl. AG, Haryana,
for respondent-HSIDC.

ARUN PALLI J. (Oral)

CM-6581-CI-2016

This is an application for condonation of delay of 1521 days in filing the accompanying appeal.

Despite notice, no reply has been filed.

All what has been urged by learned counsel for the applicant is that the matter in issue is squarely covered by the judgment, dated 04.02.2016, rendered by this court in RFA No.751 of 2012 - Gopi Ram Yadav and others v. State of Haryana and others, vide which this court had enhanced the compensation awarded to the landowners to Rs.32,27,200/- per acre and the landowners were also held entitled to 20% of the market value of the land, as compensation, on account of severance charges.

The factual position, as set out above, is not disputed by learned State counsel.

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 1521 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.

CM-6582-CI-2016; and
RFA-2196-2016

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 Gopi Ram Yadav'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. 1521 days.

August 12, 2016
Rajan/dharamvir

(Arun Palli)
Judge

Whether speaking / reasoned:

YES/NO

Whether Reportable:

YES/NO