

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

RFA No.2250 of 2016 (O&M)

Date of Decision: 04.08.2016

Braham Parkash

..Appellant

versus

State of Haryana through the Collector, Gurgaon and another

..Respondents

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

Present: Mr. Mannu Chaudhary, Advocate, for the appellant.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

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ARUN PALLI, J. (ORAL)

CM No.6723-CI of 2016

This is an application for condonation of delay of 829 days in filing the accompanying appeal.

Despite opportunity, no reply has been filed by the respondents.

Learned counsel for the applicant submits that the matter in issue is squarely covered by the judgment, dated 20.5.2016, rendered by this Court, in RFA No.4475 of 2012 and other connected matters, (**Ram Chander and another versus State of Haryana and others**), vide which this court had enhanced the compensation awarded to the land-owners.

The factual position, as set out above, is not disputed by the 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 829 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 No.6721-CI and RFA No.2250 of 2016

For the reasons stated in the application, which is duly supported by an affidavit, the same is allowed. Consequently, the main case is taken on board for hearing.

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 Ram Chander'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. 829 days.

04.08.2016
VK

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No