

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

**RFA No.2302 of 2016 (O&M)
Date of Decision : 23.07.2016.**

Hoshiyar Singh

.....Appellant

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Sunny Bhardwaj, Advocate for
Mr. Nipun Vashist, Advocate for the appellant.

Ms. Safia Gupta, AAG, Haryana for respondents No.1 to 3.

Ms. Chetna Rao, Advocate for respondent No.4.

ARUN PALLI, J. (Oral)

CM No.6933-CI of 2016

This is an application for condonation of delay of 1404 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 13.05.2016, rendered by this court in **RFA No.4518 of 2012, (Union of India through the Executive Engineer/Construction, Northern Railway, Rohtak and another Vs. Jai Lal and others)**, vide which compensation awarded to the land owners was enhanced by this Court.

The factual position as set out above is not disputed by the 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 1404 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.6935-CI of 2016 in/and RFA-2302-2016

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 *Jai Lal'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. 1404 days.

23.07.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE