

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

**CM No.7095-CI of 2016 in/and
RFA No.2361 of 2016 (O&M)
Date of Decision : 01.09.2016.**

Rajinder (since deceased) through LRs and others

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Munish Kumar Garg, Advocate for applicants/appellants.

ARUN PALLI, J. (Oral)

CM No.7095-CI of 2016

This is an application for condonation of delay of 496 days in filing the accompanying appeal. All what has been urged by the learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 30.10.2015, rendered by this court in RFA No.9821 of 2014 (Baru and others Vs. State of Haryana), vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the landowners.

Notice in the application.

Mr. Shivendra Swaroop, AAG, Haryana, present in Court, accepts notice on behalf of the respondents.

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 496 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.7096-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. Accordingly, legal representatives of late Rajinder as depicted in paragraph 2 of the application are brought on record for the purpose of pursuing the present appeal only.

CM No.7097-CI of 2016

Application is allowed as prayed for and Annexure A-1 is taken on record.

RFA No.2361 of 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 Baru's case (*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. 496 days.

01.09.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No