

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

**CM No.7694-CI of 2016 in/and
RFA No.2643 of 2016 (O&M)
Date of Decision : 26.08.2016.**

Umed Singh and another

.....Appellants

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Vijay Saini, Advocate for
Mr. Rakesh Nehra, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM No.7693-CI of 2016

Allowed as prayed for.

CM No.7694-CI of 2016

This is an application for condonation of delay of 1615 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 31.08.2015, rendered by this court in RFA No.1626 of 2011 (Puran Chand Wadhwa (deceased) through LRs Vs. Land Acquisition Collector and another), vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the land owners.

Notice in the application.

Ms. Safia Gupta, 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.

I have heard learned counsel for the parties and perused the records.

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 1615 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.

RFA No.2643 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 the case of *Puran Chand Wadhwa (deceased) through LRs (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. 1615 days.

26.08.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No