

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM No.7727-CI of 2016 in/and
RFA No.2681 of 2016 (O&M)
Date of Decision : 26.08.2016.

Gurdial Singh and others

.....Appellants

Versus

U.T.Chandigarh through Land Acquisition Collector, Chandigarh.

..... Respondent

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Naresh Kaushal, Advocate for the applicant-appellants.

ARUN PALLI, J. (Oral)

CM No.7726-CI of 2016

For the reasons set out in the application, delay of 16 days in re-filing the accompanying appeal is condoned.

CM stands disposed of.

CM No.7728-CI of 2016

Application is allowed, subject to all just exceptions. Legal representative of late Kuldip Kaur widow of Shri Gurbachan Singh, as depicted in paragraph 2 of the application, are brought on record for the purpose of pursuing the present appeal only.

CM No.7727-CI of 2016

This is an application for condonation of delay of 557 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 6.10.2015, rendered by this court in RFA No.6554 of 2013 (Gurpreet Singh and another Vs. Union Territory, Chandigarh), vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation to ₹91,80,000/- per acre.

Notice in the application.

Mr. Suvir Sehgal, Sr. Standing counsel with Mr. Daman Dhir, Advocate for U.T. Chandigarh, present in Court, accepts notice on behalf of the respondent.

Factual position, as set out above, is not disputed by the learned counsel for the respondent.

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 557 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.2681 of 2016 (O&M)

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 *Gurpreet Singh'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. 557 days.

26.08.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No