

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

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**RFA No.2803 of 2016(O & M)
Date of Decision:07.12.2016**

Gram Panchayat, Jajroo, Tehsil Ballabgarh, District Faridabad

....appellant

Versus

State of Haryana and another

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Adarsh Jain, Advocate
for the appellant

ARUN PALLI, J. (ORAL):
CM No.7884-CI of 2016

Application is allowed as prayed for.

CM No.7885-CI of 2016

This is an application for condonation of delay of 4687 days in filing the appeal.

All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgement dated 13.12.2006, rendered by this Court in **RFA No.5100 of 2001**, titled “Satbir Singh versus State of Haryana and others”, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the landowners to ₹ 500/- per square yard. The applicant happen to be the landowner, who is equally situated and circumstanced as the claimants in the said case.

Notice.

On the asking of the Court, Mr.Shivendra Swaroop, AAG

Haryana, present in the Court, accepts notice on behalf 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 record.

In the wake of the decision of the Hon'ble Supreme Court in *Samiyathal and others versus Special Tehsildar and others, 2015(2) RCR (Civil) 441, 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 4687 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

RFA No.2803 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 Satbir Singh's case (Supra), the present appeal is disposed of in terms of the said decision. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e.4687 days.

07.12.2016

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No