

Regular First Appeal No.2867 of 2016 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

RFA No.2867 of 2016 (O&M)

Date of Decision: 07.09.2016

Ram Saran (deceased) through his LRs and others ..Appellants

versus

State of Haryana through Collector, Jhajjar and another
..Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Ms. Anita Balyan, Advocate, for the appellants.

Mr. Shivendra Swaroop, Assistant Advocate General, Haryana.

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ARUN PALLI, J. (ORAL)

CM No.7991-CI of 2016

This is an application for condonation of delay of 1278 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 31.08.2015, rendered by this court, in **RFA No.1626 of 2011 (Puran Chand Wadhwa (deceased) through LRs versus 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.

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

Advocate General, Haryana, accepts notice on behalf of the respondents.

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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 1278 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 Nos.7992-CI, 7993-CI, 7994-CI and 7995-C1 of 2016

For the reasons set out in the applications, which are duly supported by affidavits, the same are allowed, subject to all just exceptions. Consequently, the legal heirs of late Manbhari d/o Shri Net Ram (appellant no.3) late Smt Marwan widow of Shri Sisram (appellant no.11), late Ram Chander son of Shri Harbhaj (appellant no.31) and late Rajbir son of Shri Ram Saran (appellant no.1), who are stated to have passed away on 05.06.2010, 04.10.2009, 05.08.2008 and 13.11.2004, respectively, as depicted in paragraph 2 of the applications, are brought on record, for the purpose of pursuing the present appeal only. .

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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

Puran Chand Wadhwa (deceased) through LRs's case (supra), the

present appeal is disposed of in terms of the said decision. However, the

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appellants shall not be entitled to interest for the period of delay in filing the appeal, i.e. 1278 days.

07.09.2016
VK

(ARUN PALLI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No