

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RFA No.2869 of 2016 (O&M)
Date of Decision: 05.09.2016

Mohar Pal and others

..Appellant(s)

versus

Haryana State through Collector Faridabad and others

..Respondent(s)

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Randhir S. Hooda, Advocate for the appellants.
Mr. Shivendra Swaroop, AAG, Haryana,
for respondents No.1 & 2.
Mr. Pritam S. Saini, Addl. AG, Haryana,
for respondent No.3-HSIDC.

ARUN PALLI, J. (ORAL)

Exemption application

Allowed, as prayed for.

Delay application

This is an application for condonation of delay of 1758 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 28.03.2016, rendered by this court in RFA No.2322 of 2011 - Usha Rani and others v. 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.

Notice.

Mr. Shivendra Swaroop, AAG, Haryana on behalf of respondents No.1 & 2; and Mr. Pritam S. Saini, Addl. AG, Haryana, on behalf of respondent No.3, accept notice.

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 *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 1758 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.

Main case

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 *Usha Rani's* case (supra), the present appeal is disposed of in the same terms. However, the appellants shall not be entitled to interest for the period of delay in filing the appeal i.e. 1758 days.

05.09.2016

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No