

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

**CM No.8041-CI of 2016 in/and
RFA No.2898 of 2016 (O&M)
Date of Decision : 14.09.2016.**

Rajwinder Singh @ Malwinder Singh

.....Appellant

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Tarunveer Vashist, Advocate for the appellant.

ARUN PALLI, J. (Oral)

CM No.8041-CI of 2016

This is an application for condonation of delay of 1819 days in filing the accompanying appeal. All what has been urged by the learned counsel for the applicant is that the matter in issue is squarely covered by the judgment, dated 27.01.2016, rendered by this court in RFA No.3367 of 2011 (Sadhu Ram Vs. State of Punjab) and other connected matters, vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation, awarded to the landowners to ₹15,95,600/- per acre.

Notice in the application.

Mr. K.K.Gupta, Addl. A.G. Punjab, 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.

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 1819 days in filing the accompanying appeal

is condoned. However, for the period of delay the applicant shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM No.8042-CI of 2016

Allowed as prayed for.

RFA No.2898 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 Sadhu Ram's case (supra), the present appeal is disposed of in terms of the said decision. However, the appellant shall not be entitled to interest for the period of delay in filing the appeal i.e. 1819 days.

14.09.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No