

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

214-a

RFA No.2939 of 2016(O & M)

Date of Decision:08.09.2016

Raghubir Singh(deceased) th.LRs.

....appellants

Versus

State of Haryana and another

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.S.S.Nain, Advocate for
Mr.R.N.Lohan, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.8118-CI of 2016

This is an application for condonation of delay of 507 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 30.10.2015, rendered by this Court in **RFA No.9821 of 2014**, titled “Baru Ram and others versus State of Haryana”, vide which, this Court had enhanced the compensation awarded to the landowners to ₹ 350/- per square yard, for the land that abutted the road upto the depth of 2 acres and at the rate of ₹ 250/- per square yard, for rest of the land.

Notice in the application.

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 *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 507 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 No.8119-CI of 2016

For the reasons set out in the application, that is duly supported by an affidavit, same is allowed, subject to all just exceptions. Consequently, legal representatives of deceased Suresh Kumar son of Budh Ram, who is stated to have died on 11.09.2010, during the pendency of the Reference, are granted leave to institute and maintain the accompanying appeal.

CM stands disposed of.

RFA No.2939 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 Baru Ram'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.507 days.

08.09.2016

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable-

Yes/No