

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

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RFA No.3035 of 2016(O & M)

Date of Decision:23.09.2016

Dharam Singh (deceased) th.LRs and others

....appellants

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Arun Yadav, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.8296-CI of 2016

This is an application for condonation of delay of 663 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 27.02.2016, rendered by this Court in **RFA No.7705 of 2014**, titled “Om Parkash and others versus State of Haryana and others”, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation, uniformly, to ₹ 38,02,410/-.

Notice in the application.

On the asking of the Court, Mr.Shivendra Swaroop, AAG Haryana, present in the Court, accepts notice on behalf respondents No.1 and 2 and Ms.Chetna Rao, Advocate, accepts notice on behalf of respondent No.3.

The factual position as set out above, is not disputed by the learned counsel for the parties.

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 663 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.8297-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 Ran Singh-appellant No.2, who is stated to have died on 17.01.2008, are brought on record, for the purpose of pursuing the appeal only.

CM stands disposed of.

CM No.8298-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 Ratti Ram-appellant No.3, who is stated to have died on 26.04.2011, are brought on record, for the purpose of pursuing the appeal only.

CM stands disposed of.

RFA No.3035 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 Om Parkash'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.663 days.

23.09.2016

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable-

Yes/No