

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

CM-11679-CI-2016;
CM-11772-CI-2016 &
RFA No.3269 of 2016(O&M)
Date of decision: 21.10.2016

Krishan Kumar

... Appellant

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Parteek Rathee, Advocate for the appellant.
Ms. Safia Gupta, AAG, Haryana,
for respondents No.1 & 2-State.
Mr. Pritam Singh Saini, Advocate,
for respondent No.3-HSIIDC.

ARUN PALLI J. (Oral)

CM-11772-CI-2016

This is an application for condonation of delay of 765 days in filing the accompanying appeal.

All what has been urged by learned counsel for the applicant is that the matter in issue is squarely covered by the judgment, dated 12.02.2016, rendered by this court in RFA No.1427 of 2014 [**Rajit and another v. State of Haryana and others**] and other connected matters, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation uniformly to ₹ 19,91,300/- per acre.

Notice in the application.

Ms. Safia Gupta, AAG, Haryana, on behalf of respondents No.1 & 2; and Mr. Pritam Singh Saini, Advocate, on behalf of respondent No.3, accept notice.

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

I have heard learned counsel for the parties and perused the record.

In the wake of the decisions 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 765 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-11679-CI-2016

Allowed, as prayed for.

CM-8952-CI-2016

For the reasons set out in the application, the delay of 19 days in re-filing the accompanying appeal is condoned.

CM stands disposed of.

CM-8953-CI-2016

Allowed as prayed for.

CM-8955-CI-2016

Dismissed as withdrawn.

CM-8954-CI-2016; and
RFA-3269-2016

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 Rajit's case (supra), the present appeal is disposed of in the same terms. However, the appellant shall not be entitled to interest for the period of delay in filing the appeal i.e. 765 days.

October 21, 2016
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:

YES/NO

Whether Reportable:

YES/NO