

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

RFA No.3289 of 2016 (O&M)
Date of Decision : 08.08.2016.

Khazani (deceased) through LRs and othersAppellants

Versus

State of Haryana and others Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Sudhir Hooda, Advocate,
for the appellants.

ARUN PALLI, J. (Oral)

CM No.8998-CI of 2016

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Consequently, delay in making good the deficiency in Court fee, is condoned.

CM stands disposed of.

CM No.8996-CI of 2016

This is an application for condonation of delay of 69 days in refiling the appeal.

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Delay of 69 days in refiling the appeal is condoned.

CM stands disposed of.

CM No.9000-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 Khazani-appellant No.1, who is stated to have died, during the pendency of the Reference, are granted leave to institute and maintain the accompanying appeal.

CM stands disposed of.

CM No.8999-CI of 2016

This is an application for condonation of delay of 1922 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 judgement dated 28.01.2016, rendered by this Court in **RFA No.1838 of 2011** titled “State of Haryana and others vs. Ramphal”, vide which this Court had enhanced the compensation awarded to the landowners.

Notice in the application.

On the asking of the Court, Mr.Shivendra Swaroop, AAG Haryana, present in the 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 1922 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.8997-CI of 2016 and
RFA No.3289 of 2016**

For, learned counsel for the parties are ad idem that the matter in issue is squarely covered by the decision rendered by this Court in Ramphal'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.1922 days.

August 08, 2016

Neenu/dharamvir

**(ARUN PALLI)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No