

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

RFA No.3318 of 2016(O&M)

Date of decision: 11.08.2016

Rajesh and others

... Appellants

Versus

State of Haryana through Collector Jind, Distt. Jind.

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. SN Pillania, Advocate for the appellants.
Mr. Shivendra Swaroop, AAG, Haryana.

ARUN PALLI J. (Oral)

CM-9128-CI-2016

This is an application for condonation of delay of 702 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 judgment, dated 12.05.2016, rendered by this court in RFA No.8113 of 2014 & other connected matters - Ram Mehar v. State of Haryana and another, vide which this court had enhanced the compensation awarded to the landowners to Rs. 18,80,000/- per acre and the landowners were also held entitled to 50% of the market value of the land, as compensation, on account of severance charges.

Notice in the application

On the asking of the court, Mr. Shivendra Swaroop, AAG, Haryana, present in court, accepts notice on behalf of the State.

The factual position, as set out above, is not disputed by 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 702 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-9127-CI-2016; and
RFA-3318-2016

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 Ram Mehar's case (supra), the present appeal is disposed of in the same terms. However, the appellants shall not be entitled to interest for the period of delay in filing the appeal i.e. 702 days.

August 11, 2016
sanjiv

(Arun Palli)
Judge

Whether speaking / reasoned:

YES/NO

Whether Reportable:

YES/NO