IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA No.3340 of 2016(O&M)
Date of decision:16.08.2016

Suba and others

… Appellants

Versus

State of Haryana and others

… Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

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

Mr. Shivendra Swaroop, AAG, Haryana.

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ARUN PALLI J. (Oral)

Application for disposal

This is an application to dispose of the appeal in terms of the order/judgment dated 28.01.2016, rendered by this court in RFA No.1838 of 2011 & other connected matters – State of Haryana and others v. Ramphal.

Notice.

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

Heard.

CM is allowed and the main case is taken on board.

Exemption

Allowed, as prayed for.

Delay in filing

This is an application for condonation of delay of 2052 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 referred to above, vide which this court in the appeals arising out the same acquisition

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had awarded enhancement to the landowners.

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 2052 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.

Main appeal

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 Ramphal's case (supra), the 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. 2052 days.

(Arun Palli)
Judge

August 16, 2016
Rajan/sonia arora

Whether speaking / reasoned: YES/NO
Whether Reportable: YES/NO

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