

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

RFA No.3345 of 2016(O&M)
Date of decision: 16.08.2016

Sewa Nand 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.

ARUN PALLI J. (Oral)

CM-9237-CI-2016

This is an application to dispose of the appeal in terms of the order/judgment dated 06.11.2013, rendered by this court in RFA No.4876 of 2013 - Rajbir and others v. State of Haryana and another, which has already been disposed of in terms of RFA No.897 of 2013 – Ved Parkash and another v. State of Haryana and another.

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.

CM-9236-CI-2016

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, the delay of 20 days in re-filing the accompanying appeal is condoned.

CM-9238-CI-2016

Allowed, as prayed for.

CM-9239-CI-2016

This is an application for condonation of delay of 1212 days in filing the accompanying appeal.

Learned counsel for the applicants submits that the matter in issue is squarely covered by the judgment referred to above.

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 1212 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.

RFA-3345-2016

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 Ved Parkash'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. 1212 days.

August 16, 2016
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned: YES/NO

Whether Reportable: YES/NO