

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

205

RFA No.3428 of 2016(O & M)

Date of Decision:21.12.2016

Satbir and another

....appellants

Versus

State of Haryana and another

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Deepender Ahlawat, Advocate
for the appellants

Ms.Safia Gupta, AAG Haryana
for respondent No.1

Mr.G.S.Gopera, Advocate for
Mr.Yogesh Chaudhary, Advocate
for respondent No.2

ARUN PALLI, J. (ORAL):

CM No.9471-CI of 2016

This is an application for condonation of delay of 1605 days in filing the accompanying appeal.

All what has been urged by the learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 04.02.2016, rendered by this court in RFA No.266 of 2012 (Joginder Singh Tokash Vs. State of Haryana and others), vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation, awarded to the landowners to ₹29,00,400/- per acre.

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

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

In the wake of the decision of the Hon'ble Supreme Court in *Samiyathal and others versus Special Tehsildar and others, 2015(2) RCR (Civil) 441, 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 1605 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

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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 Joginder Singh Tokash's case (Supra), the present appeal is disposed of in terms of the said decision. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e.1605 days.

21.12.2016

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No.

Whether reportable-

Yes/No